



City of Huntington Beach Planning Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP Director of Planning
BY: Rosemary Medel, Associate Planner *RM*
DATE: November 24, 2009

SUBJECT: ZONING TEXT AMENDMENT NO. 07-001 (AMENDING DESIGN REVIEW BOARD COMPOSITION AND SCOPE)

LOCATION: Citywide

STATEMENT OF ISSUE:

Zoning Text Amendment No. 07-001 represents a request to amend the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to change the composition and scope of the Design Review Board (DRB) pursuant to input from the Design Review Board, Planning Commission, staff, and City Council direction. Specifically, the Zoning Text Amendment would amend:

- ♦ Chapter 244 Design Review
 - Change applicability as to which projects are reviewed by DRB
 - Change composition of DRB to eliminate staff members and add a Historic Resources Board member
- ♦ Chapters 210 Residential Districts, 211 Commercial Districts, 212 Industrial Districts, 213 Open-Space District, and Chapter 214 PS Public-Semipublic District
 - Change Review of Plans Section to refer reader to Chapter 244 Design Review.
- ♦ Chapter 233 Signs
 - Eliminate need for signs in redevelopment project areas to go through DRB.
- ♦ Staff's Recommendation: Approve Zoning Text Amendment No. 07-001 based upon the following:
 - Focuses the Design Review Board's action to matters related to design and aesthetics.
 - Ensures that the duties of the Design Review Board will remain fundamentally the same.
 - Strengthens and facilitates Design Review Board decisions.

RECOMMENDATION:

Motion to:

“Approve Zoning Text Amendment No. 07-001 with findings for approval (Attachment No. 1) and forward Draft Ordinances (Attachment No. 2) to the City Council for adoption.”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Continue Zoning Text Amendment No. 07-001 and direct staff accordingly."
- B. "Deny Zoning Text Amendment No. 07-001 with findings for denial."

PROJECT PROPOSAL:

Zoning Text Amendment No. 07-001 represents a request to amend Chapter 244 Design Review of the Huntington Beach Zoning and Subdivision Ordinance pursuant to Section 247.02 of the HBZSO. Zoning Text Amendment No. 07-001 would implement changes to amend Chapter 244 altering the composition and scope of the Design Review Board and provide minor clean-up to certain sections of Chapter 244. The application also includes minor language amendment to Chapters 210 Residential Districts, 211 Commercial Districts, 212 Industrial Districts, 213 Open Space, and 214 Public Semi Public amending "Review of Plans" section to refer the reader to 244 Design Review. Finally, Chapter 233 would be amended to no longer require DRB review for signs in redevelopment project areas. The legislative drafts are attached (Attachment No. 3).

The City is initiating this request as a result of the report from the City's organizational consultant who suggested that the composition of the Design Review Board be altered in order to improve the Design Review process. The report was submitted to the City in February 2007. The report addressed the entitlement and development processing activities of the City, including the importance of the City's Design Review. Subsequently, staff also received input from the DRB, City Council and the Economic Development Department.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

Zoning Text Amendment (ZTA) No. 07-001 is applicable citywide.

General Plan Conformance:

The proposed Zoning Text Amendment No. 07-001 is consistent with the goals, policies, and objectives of the City's General Plan as follows:

Urban Design Element

Goal UD 1: Enhance the visual image of the City of Huntington Beach.

Objective 11: Identify and reinforce a distinctive architectural and environmental image for each district in Huntington Beach.

Policy UD 1.3: Strengthen the visual character of the City's street hierarchy (i.e., major, primary, etc.) in order to clarify the City's structure and to improve Citywide identity.

I-UD 6: Review all projects for potential visual impacts to surrounding areas; require Design Review of all projects within areas designated by the City Council including primary and secondary entry nodes.

The ordinance amendment changes the composition of the Design Review Board but does not change the intent of the design review process, which is to enhance development in a coordinated manner where applicable citywide. The Design Review process will continue to be the implementation program process for review of new development within areas designated by the City Council or those areas deserving of special consideration.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status: The proposed ZTA No. 07-001 is categorically exempt pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act.

Coastal Status: Not applicable.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements: This amendment is a result of a study conducted by the City's organizational consultant, which suggested that the composition of the Design Review Board be altered in order to improve the Design Review process. The report addressed the importance of the City's Design Review. Subsequently, staff also received input from the DRB, City Council and the Economic Development Department.

Public Notification:

A 1/8 page legal notice was published in the Huntington Beach/Fountain Valley Independent on November 12, 2009, and notices were sent to individuals/organizations requesting notification (Planning Department's Notification Matrix), as well as other interested parties. As of November 16, 2009 no communication supporting or opposing the request has been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:
October 13, 2009

MANDATORY PROCESSING DATE(S):
Legislative Action – Not Applicable

ANALYSIS:

The primary focus of the proposed zoning text amendment is to change the composition of the DRB. However, it also makes modifications to which projects are subject to DRB and to the DRB's scope of review. Below is an analysis of the proposed amendments.

Applicability

Section 244.02 would be changed to add the requirement for review of projects at or near City facilities (eg., parks) and projects in or abutting Open Space designated areas. At the same time, the reference to PS districts would be deleted. Staff believes that these changes would ensure that public spaces or areas near them are subject to DRB. While some public areas (city facilities) are designated PS, this zoning category is not all encompassing and also includes uses such as religious assembly. The ZTA would also require DRB for projects located in the General Plan primary and secondary entry nodes (Attachment No. 4), pursuant to a requirement of the General Plan to ensure an enhanced image at the City entry points. Finally, the change to Chapter 233 would eliminate the need for signs in redevelopment areas to be reviewed by DRB because the majority of redevelopment areas are located within specific plan areas and have already adopted planned sign programs.

Each time a zoning text amendment is proposed, staff takes the opportunity to review the existing ordinance and make further modifications or clean-up language of the Huntington Beach Zoning and Subdivision Ordinance. Therefore, in addition to the amendments in Chapter 244 Design Review, various sections of the code are proposed to be amended so that each section under "Review of Plans" references Chapter 244 (Design Review) consistently. They include the following:

- Chapter 210 Residential Districts, Section 210.04
- Chapter 211 Commercial Districts, Section 211.08
- Chapter 212 Industrial Districts, Section 212.08
- Chapter 213 Open Space District, Section 213
- Chapter 214 PS Public-Semipublic, Section 214

DRB Composition

Presently, the Design Review Board is comprised of five members, which includes a total of two staff members, one from the Planning Department and one from the Department of Public Works. The Design Review Board is also assigned a staff liaison who acts in the capacity of the Design Review Board Secretary.

Based on input from the City Council and the City's organizational consultant the membership is proposed to be changed. The consultant's report emphasized that DRB membership is typically comprised of citizens from the design profession who are appointed by City Council and do not include city staff. City Council also directed staff to stipulate in Chapter 244 that the Board include one current member from the Historic Resources Board. Therefore, the proposed composition of the Design Review Board is proposed to be amended as follows:

- One Planning Commissioner
- Four Members will be At Large citizens appointed by City Council who have training, education or work experience in design-related fields.
- One of the four members shall be from the Historic Resources Board

Scope of Review

Section 244.06, item 4, currently requires the DRB to consider off-site parking and traffic impacts, other potential impacts upon the environment, parking and driveways as well as landscaping. This is proposed to be changed to only require review of landscaping. The DRB members are not required nor expected to have expertise in traffic circulation or environmental analysis but rather to focus on aesthetics. Staff and the Zoning Administrator, Planning Commission or City Council are tasked with analyzing if any component of a project may affect circulation or have potential environmental impacts. In addition, minor cleanup of Section 244.09 will delete unnecessary language for clarity.

October 27, 2009 Study Session

At the October 27, 2009, Planning Commission study session, one of the Planning Commission members expressed concern with the change in the DRB composition stating that it may be difficult to find four citizens that could meet the criteria in order to be eligible for consideration to the Design Review Board. The Planning Commissioner further stated that perhaps the number of members with the required design background should be reduced from four members to three members. Over the past several years, when the City has recruited for a vacancy on the DRB, the majority of the applicants have had design related experience, training and/or education. Therefore, staff believes filling three positions on the DRB will not be difficult. Additionally, staff believes that Historic Resources Board members are qualified to join the Design Review Board because they typically have design training, education and/or experience.

The Planning Commission also expressed concern that a staff member with Landscape expertise would no longer be on the Design Review Board. In response, the majority of projects that are reviewed by the Design Review Board are first routed to the City's Landscape Architect for review and comment. If a project warrants the attendance of the City's Landscape Architect, he will be asked to the DRB meeting to respond to the DRB inquiries. For the first few meetings after the membership transition, staff will request that the City's Landscape Architect be in attendance automatically to provide any needed assistance and guidance. Additionally, the DRB is assigned a staff liaison to act in the capacity of the DRB Secretary. This professional planner provides procedural guidance and expertise regarding the City's Zoning and Subdivision Ordinance compliance. Each project is also assigned a project planner and they are prepared to answer the DRB's inquiries regarding their project at each meeting. Finally, staff suggests that an annual workshop be provided for the DRB similar to that conducted with the Planning Commission providing training, focus and intent of the DRB process in response to City Council direction.

Staff recommends that the Planning Commission approve Zoning Text Amendment No. 07-001 with findings for approval and forward the item to City Council for adoption. The proposed ZTA amendments of the various chapters of the ZSO ensure that the appropriate review process is clear in the Huntington Beach Zoning and Subdivision Ordinance, while changing the composition and scope of the DRB consistent with City Council direction.

ATTACHMENTS:

1. Findings of Approval
2. Draft Ordinances
3. Legislative Drafts
4. General Plan-Figure UD-2/Existing Urban Nodes

ATTACHMENT NO. 1

SUGGESTED FINDINGS OF APPROVAL

ZONING TEXT AMENDMENT NO. 07-001

SUGGESTED FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 07-001

1. Zoning Text Amendment No. 07-001 amending Chapter 244 Design Review of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to change the composition and scope of the Design Review Board; clean-up Chapters 210 Residential Districts, 211 Commercial Districts, 212 Industrial Districts, 213 Open Space District, and 214 Public Semi-Public; and amend Chapter 233 Signs is consistent with the goals, objectives, policies, general land uses and programs specified in the General Plan that speak to the composition of the Design Review Board, scope of the authority of the Design Review Board and the Review of Plans in the ZSO of the City of Huntington Beach.
2. In the case of a general land use provision, the zoning text amendment is compatible with the uses authorized in, and the standards prescribed for, the various zoning districts for which it is proposed because the duties of the Design Review Board remain fundamentally the same and the Board will continue to review projects in areas designated by the City Council.
3. A community need is demonstrated for the proposed amendments because a minimum of four members will have had training, education or expertise in a design related field, which will strengthen and facilitate Design Review Board decisions. The DRB will continue to have a staff liaison to provide clarification of applicable development standards and City policy.
4. The adoption of this ordinance will be in conformity with public convenience, general welfare and good zoning practice. The zoning text amendment eliminates the need for review of signs in redevelopment project areas but now requires the review of City Facilities, projects abutting or adjoining City Facilities and projects abutting or adjoining OS-PR and OS-S districts. Pursuant to the Scope of Review, the Design Review Board will make its determination based on the relationship of other developments to proposed projects, architectural design, aesthetic compatibility and adequacy of landscaping. The changes focus the Design Review Board's action to matters related to design and aesthetics that are the purview of their expertise and target those areas of the City that warrant special design consideration.

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 244 OF THE HUNTINGTON BEACH
ZONING AND SUBDIVISION ORDINANCE TITLED
DESIGN REVIEW

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 244.02 Applicability of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

244.02 Applicability

Design review is required for all projects pursuant to any other provision of this Zoning and Subdivision Ordinance and for all projects located within redevelopment areas, specific plans as applicable, areas designated by the City Council, City facilities or projects abutting or adjoining City facilities, projects in or abutting or adjoining OS-PR and OS-Sdistricts, and General Plan primary and secondary entry nodes.

SECTION 2. Section 244.04 Duties of the Design Review Board of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

244.04 Duties of the Design Review Board

The Design Review Board shall assist the Director, Planning Commission and Zoning Administrator in reviewing development plans and architectural drawings within designated geographic areas of the City and to undertake such other review and approval as provided by this code.

A. Organization. The Board shall consist of five members appointed by the City Council.

1. No person is eligible for membership on the Board unless that person is a resident of the City at the time of appointment to the Board. If during a term of office, a member moves his or her place of residence outside of the City limits, his office shall immediately become vacant.
2. One (1) current Planning Commissioner chosen by the Planning Commission. An alternate Commissioner may be designated by the Planning Commission.
3. At least four of the five members shall have training, education or work experience in design-related fields including, but not limited to, architecture, landscaping, art, urban/environmental design and aesthetics.

4. One (1) current member of the Historic Resources Board chosen by the Historic Resources Board. An alternate may be designated by the Historic Resources Board.
5. The City Council may designate alternate members as it deems necessary so long as the alternate members meet all membership requirements.

B. Terms of Office.

1. At large Members. The term of office for At-large members shall be four (4) years from the date of appointment by City Council. No At-large member shall serve more than two (2) consecutive terms. At-large members serve until their respective successors are appointed and qualified. An At-large member may be removed prior to the expiration of his/her term by a motion adopted by the City Council.
2. Planning Commission Member. The term of the Planning Commission member shall expire when such member ceases to be a member of the Planning Commission. A Planning Commission member may be removed prior to the expiration of his/her term by a motion adopted by the Planning Commission. Members may serve until their respective successors are appointed and qualified.
3. Historic Resources Board Member. The term of the Historic Resources Board member shall expire when such member ceases to be a member of the Historic Resources Board. A Historic Resources Board member may be removed prior to the expiration of his/her term by a motion adopted by the Historic Resources Board. Members may serve until their respective successors are appointed and qualified.

- C. Powers and Duties. It shall be the duty of the Board to review sketches, layouts, site plans, structural plans, signs, and architectural drawings in connection with any matter before the board. The Board shall have authority to confer with the applicant or property owner concerning modifications of the proposal, or conditions necessary to approval, and may approve, disapprove, or conditionally approve the proposal. The Board may recommend any matter before them to the discretionary body for consideration of the project.

SECTION 3. Section 244.06 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

244.06 Scope of Review

- A. In making its determination, the Board shall review and consider:
1. The arrangement and relationship of proposed structures and signs to one another and to other developments in the vicinity;
 2. Whether that relationship is harmonious and based on good standards of architectural design;

3. The compatibility in scale and aesthetic treatment of proposed structures with public district areas;
4. The adequacy of proposed landscaping;
5. Elements of design affecting the performance characteristics of the proposed development; and
6. Whether energy conservation measures have been proposed and the adequacy of such measures, including, but not limited, the use of active and passive solar energy systems.

B. The Board may impose and/or recommend any conditions deemed reasonable and necessary to the approval of the proposed development plan.

SECTION 4. Section 244.09 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

244.09 Time Limit; Transferability, Discontinuance.

A Design Review Board recommendation shall become null and void one year after its date of Director approval. If the initial application is in association with another discretionary permit said permit shall become null and void one year after the final action of the hearing body.

SECTION 5. This ordinance shall become effective 30 days after its adoption.

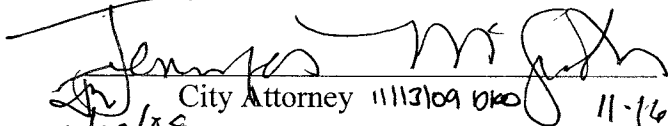
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:


City Attorney 11/13/09 0100 11-14-09
11/12/09

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Administrator

Director of Planning

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 210 OF THE HUNTINGTON BEACH
ZONING AND SUBDIVISION ORDINANCE TITLED
RESIDENTIAL DISTRICTS

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 210.16 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

210.16 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be reviewed as follows:

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots; see Chapter 241.
- B. Design Review Board. See Chapter 244.
- C. Planning Commission. Projects requiring a conditional use permit from the Planning Commission; see Chapter 241.
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:


11/12/09 City Attorney DKO 11/21/09

REVIEWED AND APPROVED:

City Administrator

INITIATED AND APPROVED:

Director of Planning

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 211 OF THE HUNTINGTON BEACH
ZONING AND SUBDIVISION ORDINANCE TITLED
COMMERCIAL DISTRICTS

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 211.08 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

211.08 Review of Plans

All applications for new construction, initial establishment of use, exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be reviewed as follows:

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots; see Chapter 241.
- B. Design Review Board. See Chapter 244.
- C. Planning Commission. Projects requiring a conditional use permit from the Planning Commission; see Chapter 241.
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

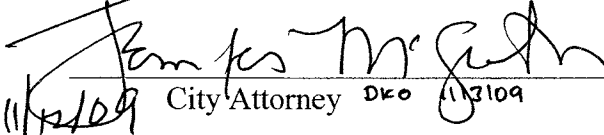
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20__.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney DKO 11/3/09

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Administrator

Director of Planning

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 212 OF THE HUNTINGTON BEACH
ZONING AND SUBDIVISION ORDINANCE TITLED
INDUSTRIAL DISTRICTS

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 212.08 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

212.08 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be reviewed as follows:

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects including a zero-side yard exception; projects on substandard lots.
- B. Design Review Board. See Chapter 244.
- C. Planning Commission. Projects requiring a conditional use permit from the Commission.
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

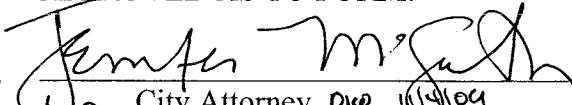
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20____.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:


11/12/09 City Attorney DW 11/19/09

REVIEWED AND APPROVED:

City Administrator

INITIATED AND APPROVED:

Director of Planning

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 213 OF THE HUNTINGTON BEACH
ZONING AND SUBDIVISION ORDINANCE TITLED
OPEN SPACE DISTRICT

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 213.10 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

213.10 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be required as follows:

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots.
- B. Design Review Board. See Chapter 244.
- C. Planning Commission. Projects requiring a conditional use permit from the Commission.
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

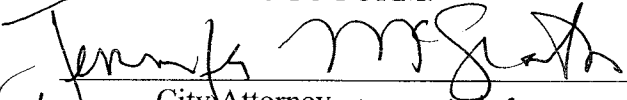
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20__.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney *OKO 11/19/09*

REVIEWED AND APPROVED:

City Administrator

INITIATED AND APPROVED:

Director of Planning

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 214 OF THE HUNTINGTON BEACH
ZONING AND SUBDIVISION ORDINANCE TITLED
PUBLIC-SEMIPUBLIC DISTRICT

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 214.10 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

214.10 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be required for projects requiring conditional use permits. Design Review shall be required for all projects except temporary uses pursuant to Chapter 244. A Coastal Development Permit is required for projects in the Coastal Zone unless the project is exempt (see Chapter 245).

SECTION 2. This ordinance shall become effective 30 days after its adoption.

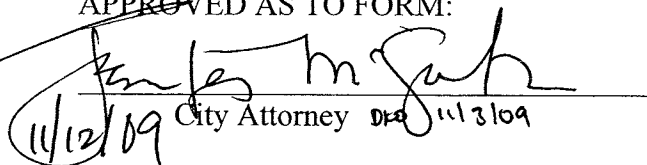
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20__.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk


City Attorney *11/13/09*

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Administrator

Director of Planning

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 233 OF THE HUNTINGTON BEACH
ZONING AND SUBDIVISION ORDINANCE TITLED SIGNS

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 233.04 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

233.04 Permits Required

Sign permits are required for all signs, unless expressly exempted under Section 233.08 or otherwise provided by this Code. A building permit application for a new sign or change in sign panel/face shall be approved by the Planning Department prior to installation and issuance of a building permit by the Building and Safety Department.

- A. Sign Permit. A complete sign application shall include the following information:
1. Two sets of fully-dimensioned plans drawn to scale. The plans shall include the following:
 - a. Site plan indicating the location of all proposed signs, as well as the size and location of existing signs on the site. Photographs should be submitted if available.
 - b. Sign elevations, indicating overall square footage and letter/figure dimensions, letter style, color (indicate standard color number if applicable), materials, proposed copy and illumination method.
 - c. Dimensioned building elevations with existing and proposed signs depicted.
 2. Property owner approval in the form of a letter or signature on the plans, approving the proposed signs and authorizing submission of the sign application.
 3. For wall signs, method of attachment; for freestanding signs, foundation plan, sign support and attachment plan.
 4. Type and method of electrical insulation devices, where applicable.
 5. Any design modification from the requirements of this chapter that have been approved shall be noted, and compliance with the Planned Sign Program, limited sign permit, or sign code exception shall be demonstrated.

B. Planned Sign Program. Review and approval of a Planned Sign Program pursuant to Section 233.20 is required for a sign permit for the following requests:

1. A site with five or more non-residential businesses or uses.
2. A site with two or more freestanding identification signs where there is a request for a new freestanding sign.
3. Commercial properties with 1,300 feet or more on one street frontage requesting more freestanding signs than allowed pursuant to Section 233.06.
4. Consolidated subdivision directional signs identifying multiple projects on multiple sign panels.
5. Service stations.
6. Wall signs for second floor businesses with exterior access.
7. Wall signs installed on a building wall not adjacent to the business suite.

C. Sign Code Exception: The Director may grant approval for a sign code exception of not more than 20% in sign height or sign area. Ten (10) working days prior to submittal for a building permit, applicant shall notice adjacent property owners and tenants by first class mail. Notice of application shall include the following:

1. Name of applicant.
2. Location of planned development or use, including address.
3. Nature of the proposed development shall be fully disclosed in the notice.
4. Planning Department phone number and address of City Hall shall be provided in the notice to call for viewing plans.
5. The date by which any comments must be received in writing by the Planning Department.
6. Planning Director shall receive entire list including name and address of those receiving the mailing.

The Design Review Board shall review and render a recommendation to the Director for sign code exception requests of more than 20% in sign height or sign area supergraphics, three-dimensional signs, and relief from the strict application of Section 233.06. Neighborhood Notification required pursuant to Chapter 241. The following findings shall be made prior to approval of any sign code exception:

1. The sign is compatible with the character of the area and is needed due to special circumstances defined by the applicant and applicable to the property.
2. The sign will not adversely affect other signs in the area.

3. The sign will not be detrimental to properties located in the vicinity.
4. The sign will not obstruct vehicular or pedestrian traffic visibility and will not be a hazardous distraction.

D. Limited Sign Permit: The owner of a sign which does not conform to the provisions of Section 233.06 may file an application for a limited sign permit to the Director for permission to change the face or copy of such sign. A limited sign permit cannot be processed for an Illegal Sign or a Prohibited Sign listed in Section 233.10. The Director may approve the face change and extend a sign's use for a time period deemed appropriate, not to exceed two (2) years. A sign permit shall be obtained pursuant to Section 233.04(A) prior to installation of the new sign panel/face.

A cash bond in an amount determined by the Director to reflect the cost of removal based on information provided by a sign company shall be required to guarantee the sign's removal upon expiration of the limited sign permit. Approval shall be subject to the following findings:

1. Due to unique circumstances, the sign's immediate removal will result in a substantial hardship for the applicant.
2. The sign will not adversely affect other lawfully erected signs in the area.
3. The sign will not be detrimental to properties located in the vicinity.
4. The sign will be in keeping with the character of the surrounding area.
5. The sign will not obstruct vehicular or pedestrian traffic visibility and will not be a hazardous distraction.

E. Design Review Board. The Design Review Board (DRB) shall review and render a recommendation to the appropriate decision maker (Zoning Administrator, Director, Planning Commission, etc.) on the following items prior to issuance of a permit by the Planning and/or Building & Safety Departments for the following:

1. Electronic Readerboard Signs.
2. Signs on properties within the following areas:
 - a. Areas subject to specific plans which do not include specific guidelines for signs;
 - b. OS-PR (Open Space-Parks and Recreation) and OS-S (Open Space-Shoreline districts); and
 - c. Any other area designated by the City Council.
3. DRB review or approval shall not be required for signs in Redevelopment Agency project areas.

F. Temporary Sign Permits. The Director may issue a temporary sign permit valid for up to 30 days, if it is found that the temporary sign is necessary to establish or maintain identity until a permanent sign can be erected. Extensions of the 30 day permit may be granted at the discretion of the Director. The Director may also approve a temporary sign permit for the following temporary signs provided the signs conform with the standards defined in Section 233.06:

1. Signs necessary to avoid a dangerous condition, including directional signs during construction.
2. Signs pertaining to a use permitted by a temporary use permit.
3. Promotional activity signs that comply with Section 233.18 are permitted up to a maximum of 90 days per calendar year.

SECTION 2. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20__.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk


City Attorney

11/17/09

REVIEWED AND APPROVED:

INITIATED AND APPROVED:

City Administrator

Director of Planning

Chapter 244 Design Review

(3529-2/02, 3680-12/04)

Sections:

- | | |
|--------|---|
| 244.02 | Applicability |
| 244.04 | Duties of the Design Review Board |
| 244.06 | Scope of Review |
| 244.08 | Required Plans and Materials |
| 244.09 | Time Limit; Transferability, Discontinuance |

244.02 Applicability

Design review is required for projects **pursuant to any other provision of this Zoning and Subdivision Ordinance and for projects located within in redevelopment areas, and applicable specific plans as applicable, areas designated by the City Council, and for City facilities, or projects abutting or adjoining City facilities, projects in or abutting or adjoining PSOS-PR and OS-S districts, and General Plan primary and secondary entry nodes.** (3529-2/02, 3680-12/04)

244.04 Duties of the Design Review Board

The Design Review Board shall assist the Director, Planning Commission and Zoning Administrator in reviewing development plans and architectural drawings within designated geographic areas of the City and to undertake such other review and approval as provided by this code.

- A. Organization. The Board shall consist of five members appointed by and responsible to the City Council. ~~The membership shall consist of the following:~~
1. ~~Two (2) At-large members, consisting of current City residents chosen by the City Council. Alternate City residents may be designated by the City Council.~~ **No person is eligible for membership on the Board unless that person is a resident of the City at the time of appointment to the Board. If during a term of office, a member moves his or her place of residence outside of the City limits, his office shall immediately become vacant.**
 2. One (1) current Planning Commissioner chosen by the Planning Commission. An alternate Commissioner may be designated by the Planning Commission.
 3. ~~The Director of his/her designee.~~ **At least four of the five members shall have training, education or work experience in design-related fields including, but not limited to, architecture, landscaping, art, urban/environmental design and aesthetics.**
 4. ~~The Public Works Director or his/her designee.~~ **One (1) current member of the Historic Resources Board chosen by the Historic Resources Board. An alternate may be designated by the Historic Resources Board.**

ATTACHMENT NO. 3.1

LEGISLATIVE DRAFT

5. **The City Council may designate alternate members as it deems necessary so long as the alternate members meet all membership requirements.**

B. Terms of Office.

1. At-large Members. The term of office for At-large members shall be four (4) years **from the date of appointment by City Council**, except as hereinafter provided. ~~One At-large member shall be appointed in 1994, and each fourth year thereafter. One At-large member shall be appointed in 1994 for a two-year term, and each fourth year thereafter.~~ No At-large member shall serve more than two (2) consecutive terms, ~~except that the current At-large member may be appointed for the two-year term mentioned herein.~~ At-large members may serve until their respective successors are appointed and qualified. An At-large member may be removed prior to the expiration of his/her term by a motion adopted by the City Council.
2. Planning Commission Member. The term of the Planning Commission member shall expire when such member ceases to be a member of the Planning Commission. A Planning Commission member may be removed prior to the expiration of his/her term by a motion adopted by the Planning Commission. Members may serve until their respective successors are appointed and qualified.
3. **Historic Resources Board Member. The term of the Historic Resources Board member shall expire when such member ceases to be a member of the Historic Resources Board. A Historic Resources Board member may be removed prior to the expiration of his/her term by a motion adopted by the Historic Resources Board. Members may serve until their respective successors are appointed and qualified.**

- C. Powers and Duties. It shall be the duty of the Board to review sketches, layouts, site plans, structural plans, signs, and architectural drawings in connection with any matter before the Board. The Board shall have authority to confer with the applicant or property owner concerning modifications of the proposal, or conditions necessary to approval, and may approve, disapprove, or conditionally approve the proposal. The Board may recommend any matter before them to the discretionary body for consideration of the project.

244.06 Scope of Review

- A. In making its determination, the Board shall review and consider
1. The arrangement and relationship of proposed structures and signs to one another and to other developments in the vicinity;
 2. Whether that relationship is harmonious and based on good standards of architectural design;
 3. The compatibility in scale and aesthetic treatment of proposed structures with public district areas;

ATTACHMENT NO. 3.2

LEGISLATIVE DRAFT

4. The adequacy of proposed landscaping, ~~parking spaces, driveways, potential on-site and off-site parking and traffic impacts and other potential impacts upon the environment;~~
 5. Elements of design affecting the performance characteristics of the proposed development; and
 6. Whether energy conservation measures have been proposed and the adequacy of such measures, including, but not limited to, the use of active and passive solar energy systems.
- B. The Board may impose and/or recommend any conditions deemed reasonable and necessary to the approval of the proposed development plan.

244.09 Time Limit; Transferability, Discontinuance,

A. ~~Time Limit.~~ A Design Review Board recommendation shall become null and void one year after its date of Director approval. If the initial application is in association with another discretionary permit said permit shall become null and void one year after the final action of the hearing body. (3680-12/04)

RECENT CITY COUNCIL DIRECTION & STAFF RECOMMENDATION

Recent City Council direction was to include an HRB member on the DRB; the City Council has not considered the other proposed changes.

ATTACHMENT NO. 3.3

LEGISLATIVE DRAFT

Chapter 210 Residential Districts

(3268-12/94, 3334-6/97, 3410-3/99, 3455-5/00, 3568-9/02, 3706-6/05, 3724-02/06, 3761-2/07, 3832-7/09)

Sections:

| | |
|--------|--|
| 210.02 | Residential Districts Established |
| 210.04 | RL, RM, RMH, RH, and RMP Districts: Land Use Controls |
| 210.06 | RL, RM, RMH, RH, and RMP Districts: Property Development Standards |
| 210.08 | Development Standards for Senior Projects |
| 210.10 | Modifications for Affordable Housing |
| 210.12 | Planned Unit Development Supplemental Standards and Provisions |
| 210.14 | RMP District Supplemental Development Standards |
| 210.16 | Review of Plans |

210.02 Residential Districts Established

The purpose of the residential districts is to implement the General Plan and Local Coastal Program Land Use Plan residential land use designations. Five (5) residential zoning districts are established by this chapter as follows: (3334-6/97)

- A. The RL Low Density Residential District provides opportunities for single-family residential land use in neighborhoods, subject to appropriate standards. Cluster development is allowed. Maximum density is seven (7) units per acre.
- B. The RM Medium Density Residential District provides opportunities for housing of a more intense nature than single-family detached dwelling units, including duplexes, triplexes, town houses, apartments, multi-dwelling structures, or cluster housing with landscaped open space for residents' use. Single-family homes, such as patio homes, may also be suitable. Maximum density is fifteen (15) units per acre.
- C. The RMH Medium High Density Residential District provides opportunities for a more intensive form of development than is permitted under the medium density designation while setting an upper limit on density that is lower than the most intense and concentrated development permitted in the City. One subdistrict has been identified with unique characteristics where separate development standards shall apply: RMH-A Small Lot. Maximum density is twenty-five (25) units per acre.
- D. The RH High Density Residential District provides opportunities for the most intensive form of residential development allowed in the City, including apartments in garden type complexes and high rise where scenic and view potential exists, subject to appropriate standards and locational requirements. Maximum density is thirty-five (35) units per acre.
- E. The RMP Residential Manufactured Home Park District provides sites for mobile home or manufactured home parks, including parks with rental spaces and parks where spaces are individually owned. Maximum density is nine (9) spaces per acre.

ATTACHMENT NO. 3.4

210.04 RL, RM, RMH, RH, and RMP Districts: Land Use Controls

In the following schedules, letter designations are used as follows:

"P" designates use classifications permitted in residential districts.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" that follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

"TU" designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator. (3334-6/97, 3410-3/99)

"P/U" designates that accessory uses are permitted, however, accessory uses are subject to approval of a conditional use permit if the primary use requires a conditional use permit. (3334-6/97, 3410-3/99)

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the zoning ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

(Rest of page not used)

ATTACHMENT NO. 3.5

| | |
|--|--|
| RL, RM, RMH, RH, and RMP DISTRICTS: | P = Permitted |
| LAND USE CONTROLS | L = Limited (see <u>Additional Provisions</u>) (3334-6/97) |
| | PC = Conditional use permit approved by Planning Commission |
| | ZA = Conditional use permit approved by Zoning Administrator |
| | TU = Temporary Use Permit |
| | P/U = Requires conditional use permit on site of conditional use |
| | - = Not Permitted |

| | RL | RM | RMH RH | RMP | Additional Provisions | |
|-------------------------------------|-----|-----|-----------|-----|--------------------------|---|
| Residential Uses | | | | | (A)(M)(Q) | (3334-6/97, 3410-3/99) |
| Day Care, Ltd. | P | P | P | P | | |
| Group Residential | - | - | PC | - | | |
| Multi-family Residential | | | | | (B)(C)(D)(R) | (3410-3/99, 3455-5/00) |
| 2 - 4 units | ZA | P | P | - | | (3334-6/97, 3410-3/99) |
| 5 - 9 units | ZA | ZA | ZA | - | | (3334-6/97, 3410-3/99) |
| 10 or more units | PC | PC | PC | - | | (3334-6/97, 3410-3/99) |
| Manufactured Home Parks | ZA | ZA | - | ZA | (E)(F) | |
| Residential, Alcohol Recovery, Ltd. | P | P | P | P | | |
| Residential Care, Limited | P | P | P | P | | |
| Single-Family Residential | P | P | P | P | (B)(D)(F)(P)(R)(S) | (3334-6/97, 3410-3/99, 3455-5/00, 3832-7/09) |
| Public and Semipublic | | | | | (A)(O) | (3334-6/97, 3410-3/99) |
| Clubs & Lodges | PC | PC | ZA | ZA | | (3334-6/97, 3410-3/99) |
| Day Care, Large-family | L-6 | L-6 | L-6 | L-6 | | (3334-6/97, 3761-2/07) |
| Day Care, General | L-1 | ZA | ZA | ZA | | (3334-6/97, 3410-3/99) |
| Park & Recreation Facilities | L-2 | L-2 | L-2 | L-2 | | (3334-6/97, 3410-3/99) |
| Public Safety Facilities | PC | PC | PC | PC | | |
| Religious Assembly | L-3 | PC | PC | PC | | (3334-6/97, 3410-3/99) |
| Residential Care, General | - | L-1 | PC | PC | | (3334-6/97, 3410-3/99) |
| Schools, Public or Private | PC | PC | PC | PC | | |
| Utilities, Major | PC | PC | PC | PC | | |
| Utilities, Minor | P | P | P | P | | |
| Commercial | | | | | | |
| Communication Facilities | L-5 | L-5 | L-5 | L-5 | | (3568-9/02) |
| Horticulture | ZA | ZA | ZA | ZA | | (3410-3/99) |
| Nurseries | ZA | ZA | ZA | ZA | | (3410-3/99) |
| Visitor Accommodations | | | | | | |
| Bed and Breakfast Inns | - | - | L-4 | - | | (3334-6/97, 3410-3/99) |
| Accessory Uses | P/U | P/U | P/U | P/U | (A)(G)(H)(I)(L)(M) | (3334-6/97, 3410-3/99) |
| Temporary Uses | | | | | (J)(M) | (3334-6/97, 3410-3/99) |
| Commercial Filming, Limited | P | P | P | P | | |
| Real Estate Sales | P | P | P | P | (N) | (3334-6/97, 3410-3/99, 3706-6/05) |
| Personal Property Sales | P | P | P | P | | |
| Street Fairs | TU | TU | TU | TU | | |
| Nonconforming Uses | | | | | (K)(L) | |

ATTACHMENT NO. 3-6

RL, RM, RMH, RH, and RMP Districts: Additional Provisions

- L-1 A conditional use permit from the Planning Commission is required and only allowed on lots 1.0 acre (gross acreage) or greater fronting an arterial in RL District. (3410-3/99)
- L-2 Public facilities permitted, but a conditional use permit from the Zoning Administrator is required for private noncommercial facilities, including swim clubs and tennis clubs. (3334-6/97, 3410-3/99)
- L-3 A conditional use permit from the Planning Commission is required, and only schools operating in conjunction with religious services are permitted as an accessory use. A General Day Care facility may be allowed as a secondary use, subject to a conditional use permit, if the Planning Commission finds that it would be compatible with adjacent areas and not cause significant traffic impacts. (3334-6/97, 3410-3/99, 3724-02/06)
- L-4 A conditional use permit from the Zoning Administrator is required and only allowed on lots 10,000 sq. ft. or greater in RMH-A subdistrict. See also Section 230.42: Bed and Breakfast Inns. (3334-6/97, 3410-3/99, 3706-6/05)
- L-5 Only wireless communication facilities permitted subject to section 230.96 Wireless Communication Facilities. (3568-9/02)
- L-6 Neighborhood notification is required pursuant to Section 241.24. No architectural plans shall be required. (3761-2/07)
- (A) Any addition or modification subsequent to the original construction that would result in an increase in the amount of building area, or a structural or architectural alteration to the building exterior, shall require an amendment to the previously approved conditional use permit, if any, or approval of a new conditional use permit. (3334-6/97, 3410-3/99, 3761-2/07)
- (B) A conditional use permit from the Planning Commission is required for residential uses requesting reduction in standards for senior citizens (See Section 210.08), for affordable housing (See Sections 210.10 and 230.14), or for density bonus (See Section 230.14).
- (C) A conditional use permit from the Zoning Administrator is required for any multiple family residential development that:
 - (1) abuts an arterial highway;
 - (2) includes a dwelling unit more than 150 feet from a public street; or
 - (3) includes buildings exceeding 25 feet in height. (3334-6/97, 3410-3/99)
- (D) See Section 210.12: Planned Unit Development Supplemental Standards. In addition, a conditional use permit is required for condominium conversion pursuant to Chapter 235.
- (E) See Section 210.14: RMP District Supplemental Standards. In addition, Neighborhood Notification pursuant to Chapter 241 is required for the addition of manufactured home space(s) to an existing Manufactured Home Park. (3334-6/97, 3410-3/99, 3706-6/05)
- (F) See Section 230.16: Manufactured Homes.
- (G) See Section 230.12: Home Occupation in R Districts.
- (H) See Section 230.08: Accessory Structures.

ATTACHMENT NO. 3.7

- (I) See Section 230.10: Accessory Dwelling Units.

RL, RM, RMH, RH, and RMP Districts: Additional Provisions

- (J) See Section 241.20: Temporary Use Permits.
- (K) See Chapter 236: Nonconforming Uses and Structures.
- (L) See Chapter 233: Signs.
- (M) Tents, trailers, vehicles, or temporary structures shall not be used for dwelling purposes. (3334-6/97, 3410-3/99)
- (N) See Section 230.18: Subdivision Sales Offices and Model Homes. (3334-6/97, 3410-3/99)
- (O) Limited to facilities on sites of fewer than 2 acres. (3334-6/97, 3410-3/99)
- (P) See Section 230.22: Residential Infill Lot Developments. (3334-6/97, 3410-3/99)
- (Q) See Section 230.20: Payment of Parkland Dedication In-Lieu Fee. (3410-3/99)
- (R) Small lot development standards for RM, RMH, and RH Districts. A conditional use permit from the Planning Commission is required for small lot residential subdivisions, including condominium maps for detached single family dwellings. See also Section 230.24: Small Lot Development Standards. (3455-5/00)
- (S) See Coastal Element Land Use Plan, Table C-2, for permitted uses, development requirements and restrictions applicable to development within Subarea 4K as depicted in Figures C-6a and C-10 of the Coastal Element Land Use Plan. Subdivision design and development within Subarea 4K shall incorporate the information from the plans and studies required in Table C-2 for development of that Subarea. If there is a conflict between the requirements and restrictions of Table C-2 and other provisions of the Zoning and Subdivision Ordinance, the requirements and restrictions included in Table C-2 shall prevail. (3832-7/09)

210.06 RL, RM, RMH, RH, and RMP Districts: Property Development Standards

The following schedule prescribes development standards for residential zoning districts and subdistricts designated on the zoning map. The columns establish basic requirements for permitted and conditional uses; letters in parentheses in the "Additional Provisions" column refer to "Additional Development Standards" following the schedule.

In calculating the number of units permitted on the site, density is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number except that one dwelling unit may be allowed on a legally created lot complying with minimum lot area. All required setbacks shall be measured from ultimate right-of-way and in accordance with the definitions set forth in Chapter 203, Definitions.

ATTACHMENT NO. 3.8

Any new parcel created pursuant to Title 25, Subdivisions, shall comply with the minimum building site requirements of the district in which the parcel is located unless approved as a part of a Planned Unit Development.

Property Development Standards for Residential Districts

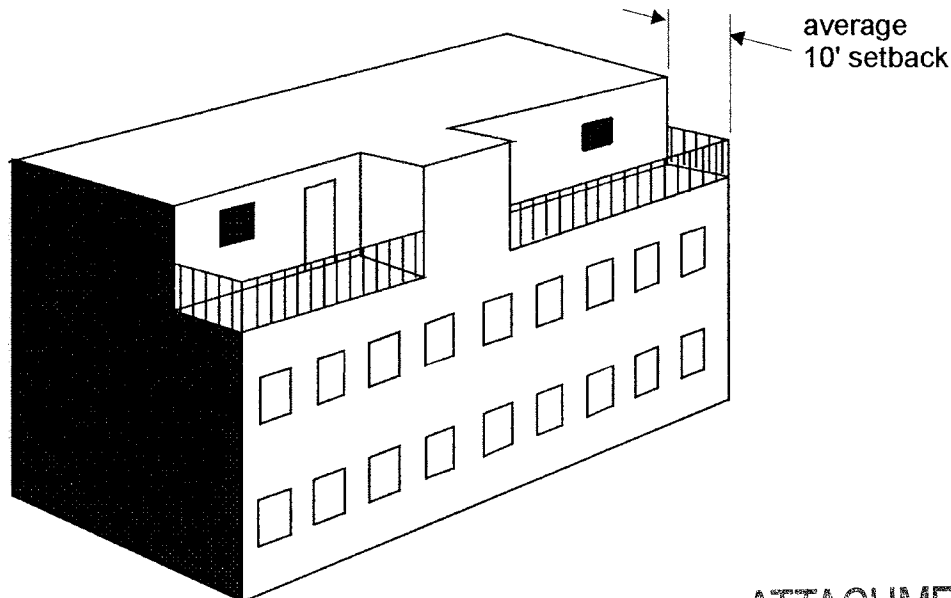
| | RL | RM | RMH-A Subdistrict | RMH | RH | RMP | Additional Provisions | |
|--|-------|-------|----------------------|-------|-------|--------|--------------------------|---------------------------------------|
| Minimum Building Site | 6,000 | 6,000 | 2,500 | 6,000 | 6,000 | 10 ac. | (A)(B)(C) | (3410-3/99) |
| Width (ft.) | 60 | 60 | 25 | 60 | 60 | N/A | | (3334-6/97, 3410-3/99) |
| Cul de sac frontage | 45 | 45 | - | 45 | 45 | N/A | | (3334-6/97, 3410-3/99) |
| Minimum Setbacks | | | | | | | (D)(R) | (3334-6/97, 3410-3/99) |
| Front (ft.) | 15 | 15 | 12 | 10 | 10 | 10 | (E)(F) | (3334-6/97, 3410-3/99) |
| Side (ft.) | 3;5 | 3;5 | 3;5 | 3;5 | 3;5 | - | (G)(I)(J) | (3334-6/97, 3410-3/99) |
| Street Side (ft.) | 6;10 | 6;10 | 5 | 6;10 | 6;10 | 10 | (H) | (3334-6/97, 3410-3/99) |
| Rear (ft.) | 10 | 10 | 7.5 | 10 | 10 | - | (I)(J) | |
| Accessory Structure | | | | | | | (U) | (3334-6/97, 3410-3/99) |
| Garage | | | | | | | (K) | (3334-6/97, 3410-3/99) |
| Projections into Setbacks | | | | | | | (L)(R) | (3334-6/97, 3410-3/99) |
| Maximum Height (ft.) | | | | | | | | |
| Dwellings | 35 | 35 | 35 | 35 | 35 | 20 | (M) | (3334-6/97, 3410-3/99) |
| Accessory Structures | 15 | 15 | 15 | 15 | 15 | 15 | (M)(R) | (3410-3/99) |
| Maximum Floor Area Ratio (FAR) | - | - | 1.0 | - | - | - | | (3334-6/97, 3410-3/99) (3410-3/99) |
| Minimum Lot Area per Dwelling Unit (sq. ft.) | 6,000 | 2,904 | * | 1,742 | 1,244 | - | | (3334-6/97, 3410-3/99) |
| Maximum Lot Coverage (%) | 50 | 50 | 50 | 50 | 50 | 75 | (V) | (3334-6/97, 3410-3/99) |
| Minimum Floor Area | | | | | | | (N) | (3334-6/97, 3410-3/99) |
| Minimum Usable Open Space | | | | | | | (O) | |
| Courts | | | | | | | (P) | (3334-6/97, 3410-3/99) |
| Accessibility within Dwellings | | | | | | | (Q) | (3410-3/99) |
| Waterfront Lots | | | | | | | (R) | (3334-6/97, 3410-3/99) |
| Landscaping | | | See Chapter 232 | | | | (S) | (3334-6/97, 3410-3/99) |
| Fences and Walls | | | See Section 230.88 | | | | | |
| Lighting | | | | | | | (T) | (3334-6/97, 3410-3/99) |
| Underground Utilities | | | See Chapter 17.64 | | | | | |
| Screening of Mechanical Equipment | | | See Section 230.76 | | | | | |
| Refuse Storage Areas | | | See Section 230.78 | | | | | (3410-3/99) |
| Antenna | | | See Section 230.80 | | | | | (3410-3/99) |
| Performance Standards | | | See Section 230.82 | | | | | |
| Off-Street Parking and Loading | | | See Chapter 231 | | | | | |
| Signs | | | See Chapter 233 | | | | | |
| Nonconforming Structures | | | See Chapter 236 | | | | | |
| Accessory Structures | | | See Chapter 230.08 | | | | | (3706-6/05) |

ATTACHMENT NO. 3.9

* Lots 50 feet or less in width = 1 unit per 25 feet of frontage
Lots greater than 50 feet in width = 1 unit per 1,900 square feet
N/A = Not applicable

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (A) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots.
- (B) See Section 230.66: Development on Lots Divided by District Boundaries.
- (C) The minimum lot area shall be 12,000 square feet for General Day Care, General Residential Care, and Public or Private Schools, except minimum lot area for General Day Care in the RL district shall be one (1) gross acre. (3334-6/97, 3410-3/99)
- (D) Building Separation. The minimum spacing between buildings including manufactured home units shall be 10 feet. (3334-6/97, 3410-3/99)
- (E) Variable Front Setback for Multi-family Projects. Projects with more than 4 units in the RM District, more than 8 units in the RMH District, or more than 14 units in the RH District shall provide a minimum setback of 15 feet from any public right-of-way. Minimum 50% of the garages shall be set back 20 feet from the front property line. (See Section 210.12B.) (3334-6/97, 3410-3/99)
- (F) Upper-story Setbacks for Multi-family Structures. The covered portion of all stories above the second story in any multi-family structure shall be set back an average of 10 feet from the second floor front facade (see Exhibit). (3334-6/97, 3410-3/99)



210-UPSS.PCX ATTACHMENT NO. 3.10

UPPER STORY SETBACK

ATTACHMENT NO. 3.11

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

(G) Interior Side Setback

- (1) In the RL, RM, RMH, including RMH-A subdistrict, and RH Districts, interior side setbacks shall be minimum 10% of lot width, but not less than 3 feet and need not exceed 5 feet, except as stated below. (3334-6/97, 3410-3/99)
- (2) For projects in the RM, RMH, including RMH-A subdistrict, and RH Districts adjoining an RL District, interior side setbacks shall be at least:
 - (a) 10 feet for units in single-story or two-story buildings.
 - (b) 14 feet for units above two stories.

Subject to approval of a conditional use permit, the Zoning Administrator or the Planning Commission, may approve upper-story setbacks in lieu of an increased side setback if the second and third stories are set back the required distance. (3334-6/97, 3410-3/99)

(H) Street Side Setbacks

- (1) In the RL, RM, RMH (excluding RMH-A subdistrict), and RH districts, the street side yard shall be 20 percent of the lot width, minimum 6 feet and need not exceed 10 feet. (3334-6/97, 3410-3/99)
- (2) In the RMH-A subdistrict, street side setback shall be minimum 5 feet. (3410-3/99)
- (3) For projects with 10 or more multi-family units (including RMH-A subdistrict), the street side setback shall be the same as the front setback. (3334-6/97, 3410-3/99)

- (I) **Building Walls Exceeding 25 Feet in Height.** The required interior side or rear setback adjoining a building wall exceeding 25 feet in height, excluding any portion of a roof, and located on a lot 45 feet wide or greater, shall be increased three feet over the basic requirement. (3334-6/97, 3410-3/99)

(J) Zero Side or Rear Setback.

- (1) A zero interior side setback may be permitted provided that the opposite side setback on the same lot is minimum 20% of the lot width, not less than 5 feet, and need not exceed 10 feet, and shall be subject to the requirements listed in subsection (3) below. (3334-6/97, 3410-3/99)
- (2) A zero rear setback may be permitted provided that the opposite rear setback for the adjacent lot is either zero or a minimum of 10 feet, and subject to the requirements listed in subsection (3) below. (3334-6/97, 3410-3/99)

(Rest of page not used)

ATTACHMENT NO. 3.12

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (3) A zero side or rear setback may be permitted subject to the following requirements: (3334-6/97, 3410-3/99)
- (a) The lot adjacent to the zero side or rear setback shall either be held under the same ownership at the time of application or a deed restriction or agreement approved as to form by the City Attorney shall be recorded giving written consent of the adjacent property owner. (3334-6/97)
 - (b) A maintenance easement, approved as to form by the City Attorney, shall be recorded between the property owner and the owner of the adjacent lot to which access is required in order to maintain and repair a zero lot line structure. Such easement shall be an irrevocable covenant running with the land. No building permits shall be issued until such recorded maintenance easement has been submitted. (3334-6/97)
 - (c) Separation between the proposed structure and any structure on an adjacent lot shall either be zero or a minimum of 5 feet. (3334-6/97, 3410-3/99)
 - (d) No portion of the dwelling or any architectural features shall project over the property line. (3334-6/97)
 - (e) The zero setback shall not be adjacent to a public or private right-of-way. (3334-6/97)
 - (f) Exposure protection between structures shall be provided as specified by the Fire Department and Building Division. (3334-6/97)
- (4) Double zero side setbacks may be permitted for planned unit development projects subject to approval of a conditional use permit and compliance with Section 210.12 B. (3334-6/97, 3410-3/99)

(K) Garage Setbacks. Setbacks for the main dwelling shall apply, except as specifically stated below:

- (1) Front entry garage - 20 feet
- (2) Side entry garage - 10 feet
- (3) Garage with alley access - 5 feet

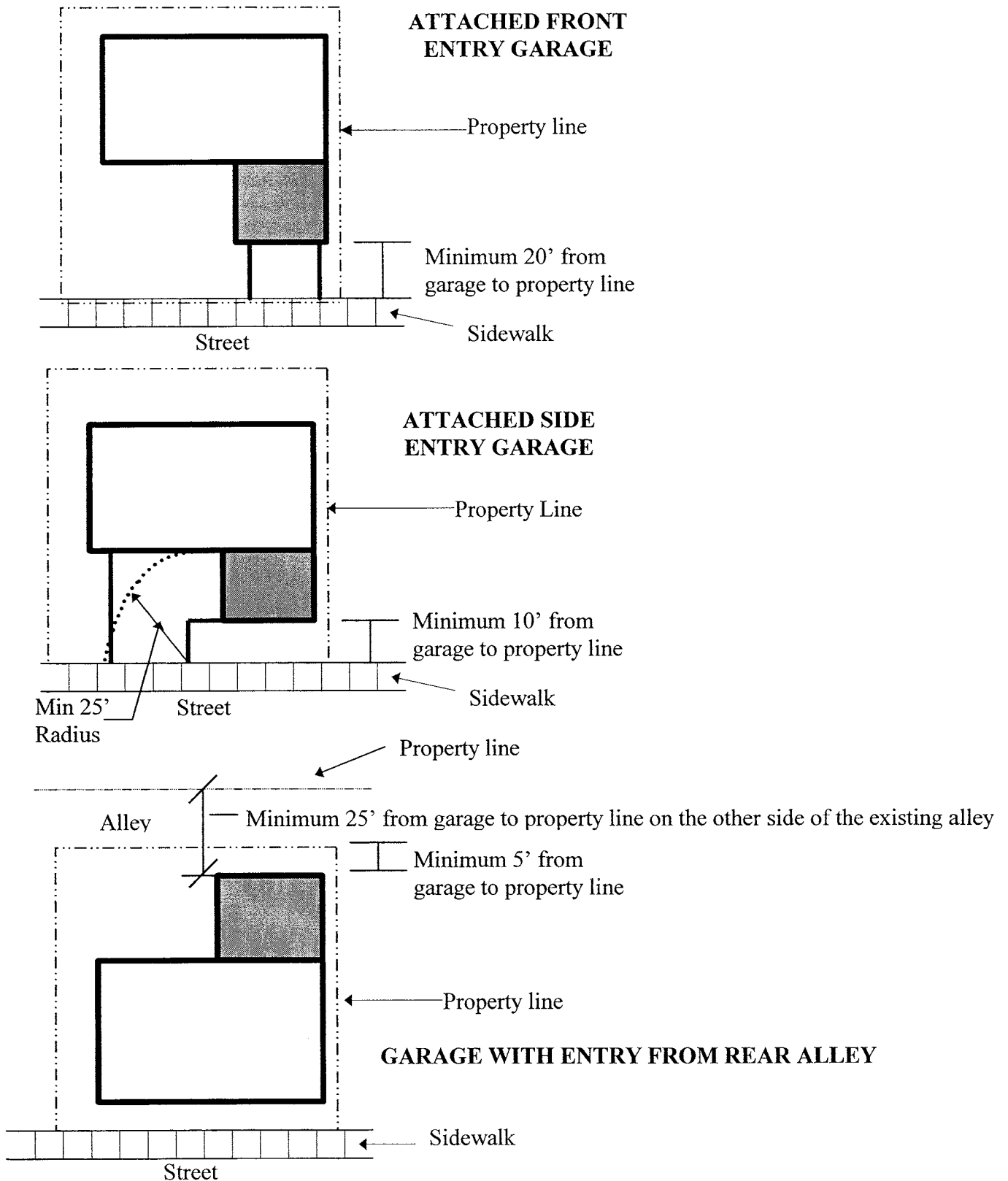
For garages with rear vehicular access from an alley and located on a lot 27 feet wide or less, the side setback adjacent to a street or another alley may be reduced to 3 feet.

A minimum 25 foot turning radius is required from the garage to the opposite side of the street, alley, drive aisle or driveway. (3334-6/97, 3410-3/99)

(Rest of page not used)

ATTACHMENT NO. 3.13

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards



ATTACHMENT NO. 3.14

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

(L) Projections into Setbacks.

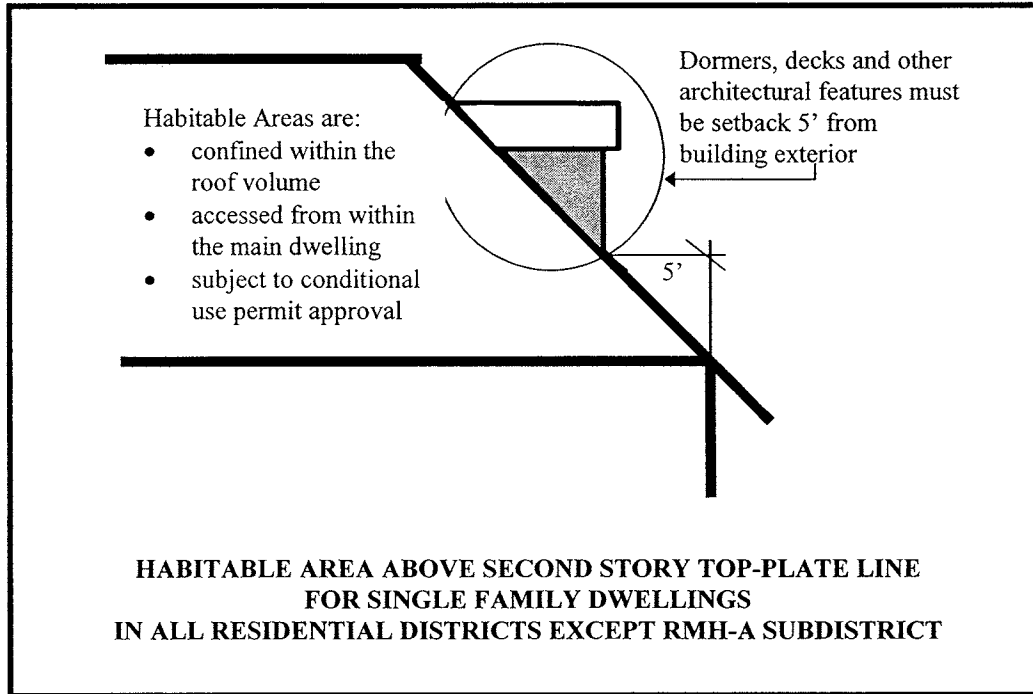
- (1) See Section 230.68: Building Projections into Yards.
- (2) Balconies and bay windows may project into required setbacks and usable open space areas subject to Section 230.68, provided that balconies have open railings, glass, or architectural details with openings to reduce visible bulk. Balconies composed solely of solid enclosures are not allowed to project into required setbacks. (3334-6/97, 3410-3/99)

(M) Height Requirements. See Section 230.70 Measurement of Height, and Section 230.72 Exceptions to Height Limits.

- (1) Single Family Dwellings in all residential districts, except lots in the RMH-A subdistrict with less than 50 feet of frontage shall comply with the following standards: (3334-6/97, 3410-3/99)
 - (a) Second story top plate height shall not exceed twenty-five (25) feet measured from the top of the subfloor/slab directly below. (3334-6/97, 3410-3/99)
 - (b) Roofs shall have a minimum 5/12 pitch if building height exceeds thirty (30) feet. (3334-6/97, 3410-3/99)
 - (c) Maximum building height for Main Dwellings shall be thirty-five (35) feet; however, Main Dwellings exceeding thirty (30) feet in height shall require approval of a Conditional Use Permit by the Zoning Administrator. (3268-12/94)(3334-6/97)
 - (d) Habitable area, which includes rooftop decks and balconies, above the second story top plate line shall require approval of a conditional use permit by the Zoning Administrator. Habitable area above the second story plate line shall be within the confines of the roof volume, with the following exceptions: (3334-6/97, 3410-3/99)
 - (1) Dormers, decks and other architectural features may be permitted as vertical projections above the roof volume provided the projections are set back five (5) feet from the building exterior and do not exceed the height limits as stated above. (3334-6/97)
 - (2) Windows and deck areas above the second story plate line shall orient toward public rights-of-way only. (3334-6/97, 3410-3/99)

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ATTACHMENT NO. 3.15



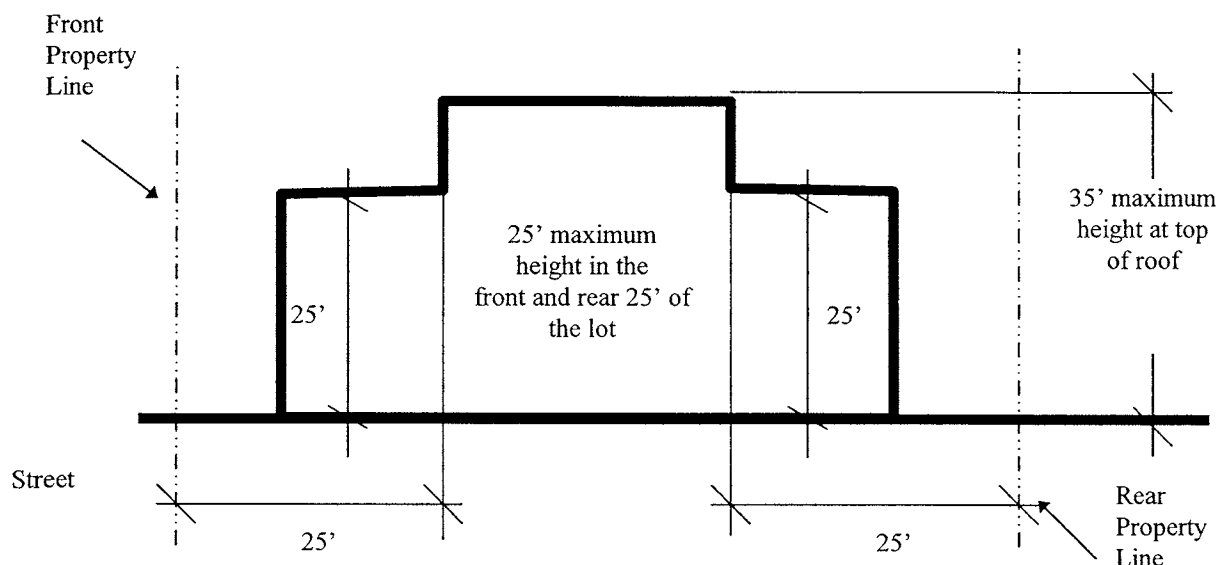
(3410-3/99)

- (e) Access to any habitable area above the second story top plate line shall be provided within the Main Dwelling and shall be consistent with internal circulation. Exterior stairways between the ground floor and a habitable area above the second story plate line shall be prohibited. (3334-6/97, 3410-3/99)

Two vertical cross-sections through the property (front-to-back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within 5 feet of the property line shall be submitted in order to determine compliance with this subsection. (3334-6/97, 3410-3/99)

- (2) Single Family Dwellings in the RMH-A subdistrict on lots with less than 50 feet of frontage shall comply with the following standards: (3334-6/97, 3410-3/99)
- (a) Second story top plate height shall not exceed twenty-five (25) feet measured from the top of the subfloor/slab directly below. (3334-6/97, 3410-3/99)
 - (b) Roofs shall have a minimum 5/12 pitch if building height exceeds thirty (30) feet. (3334-6/97)
 - (c) In the front and rear 25 feet of the lot, maximum building height for all structures, including railings and architectural features, shall be 25 feet. Otherwise, maximum building height shall be 35 feet. (3334-6/97, 3410-3/99)

ATTACHMENT NO. 3.16



MAXIMUM BUILDING HEIGHT FOR SINGLE FAMILY DWELLINGS ON LOTS LESS THAN 50 FEET WIDE IN RMH-A SUBDISTRICT

- (d) Access to any habitable area above the second story top plate line shall be provided within the Main Dwelling and shall be consistent with internal circulation. Exterior stairways between the ground floor and a habitable area above the second story plate line shall be prohibited. (3334-6/97, 3410-3/99)

Two vertical cross-sections through the property (front-to-back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within 5 feet of the property line shall be submitted in order to determine compliance with this subsection. (3334-6/97, 3410-3/99)

- (3) Accessory Structures: See Section 230.08: Accessory Structures. Accessory structures located on projecting decks abutting a waterway shall comply with the height established in subsection (R). (3334-6/97, 3410-3/99)
- (4) Recreation Buildings: The maximum height of a recreation building for multi-family, planned residential, and mobile home park projects shall be established by the conditional use permit. (3334-6/97)

- (N) Minimum Floor Area. Each dwelling unit in a multi-family building and attached single family dwellings shall have the following minimum floor area.

| Unit Type | Minimum Area (Square Feet) |
|----------------|----------------------------|
| Studio | 500 |
| one bedroom | 650 |
| two bedrooms | 900 |
| three bedrooms | 1,100 |
| four bedrooms | 1,300 |

All detached single family dwellings shall have a minimum 1,000 square feet of floor area not including the garage and shall be a minimum of 17 feet in width. (3334-6/97)

ATTACHMENT NO. 3-17

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

(O) Open Space Requirements.

- (1) The minimum open space area (private and common) for multi-family residential projects in RM, RMH, including RMH-A subdistrict, and RH Districts shall be 25% of the residential floor area per unit (excluding garages). (3334-6/97, 3410-3/99, 3706-06/05)

(2) Private Open Space.

- (a) Private open space shall be provided in courts or balconies within which a horizontal rectangle has no dimension less than 10 feet for courts and 6 feet for balconies. A minimum patio area of 70 square feet shall be provided within the court. (3334-6/97)
- (b) The following minimum area shall be provided:

| Unit Type | Minimum Area (Sq.Ft.) Ground Floor Units | Units Above Ground Floor |
|--------------------|---|-----------------------------|
| Studio/1 bedroom | 200 | 60 |
| 2 bedrooms | 250 | 120 |
| 3 bedrooms | 300 | 120 |
| 4 or more bedrooms | 400 | 120 |

(3334-6/97)

- (c) Private open space shall be contiguous to the unit and for the exclusive use of the occupants. Private open space shall not be accessible to any dwelling unit except the unit it serves and shall be physically separated from common areas by a wall or hedge exceeding 42 inches in height. (3334-6/97, 3410-3/99)
- (d) A maximum of 50% of the private open space requirement, may be on open decks above the second story subject to approval of a conditional use permit by the Zoning Administrator, provided that no portion of such deck exceeds the height limit. (3410-3/99, 3706-6/05)
- (e) Patio and balcony enclosures within existing planned developments or apartment complexes shall be subject to the following conditions: (3706-6/05)
1. A maximum of one enclosure per unit shall be allowed. (3706-6/05)
 2. The existing balcony or patio area shall not be enlarged. (3706-6/05)
 3. The balcony or patio enclosure shall comply with the current setback and height requirements for the district in which the site is located. (3706-6/05)
 4. The enclosure shall consist entirely of transparent materials, i.e., no solid walls or opaque walls, except an existing solid roof may be part of the enclosure. (3706-6/05)
 5. No structural change shall occur to the interface wall and doorway between the enclosure and the adjacent inside room of the building, unless the balcony/patio is replaced with equivalent unenclosed area for use as private open space. (3706-6/05)

ATTACHMENT NO. 3.18

6. The enclosed area shall be considered as private open space and may be counted toward current private open space requirements. (3706-6/05)

7. Required egress for fire escape routes shall be maintained. (3706-6/05)

(3) Common Open Space.

(a) Common open space, provided by interior side yards, patios, and terraces, shall be designed so that a horizontal rectangle has no dimension less than 10 feet, shall be open to the sky, and shall not include driveways, parking areas, or area required for front or street side yards. (3334-6/97, 3410-3/99, 3706-06/05)

(b) Projects with more than 20 units shall include at least one amenity, such as a clubhouse, swimming pool, tennis court, volleyball court, outdoor cooking facility, or other recreation facility. (3334-6/97, 3410-3/99, 3706-06/05)

(4) The Director may allow a reduction in the open space requirement to 10% of the livable area per unit for projects with less than 10 units and located within walking distance of 1,000 feet of a public park or beach. (3334-6/97, 3410-3/99)

(P) Courts Opposite Windows in RM, RMH, and RH Districts (excluding the RMH-A sub-district). Courts shall be provided in all multi-family projects in the RM, RMH, and RH Districts subject to the following requirements: (3334-6/97, 3410-3/99)

(1) Courts Opposite Walls on the Same Site: The minimum depth of a court shall be one-half the height of the opposite wall but not less than 20 feet opposite a living room and 14 feet opposite a required window for any other habitable room (see diagrams below). (3334-6/97, 3410-3/99)

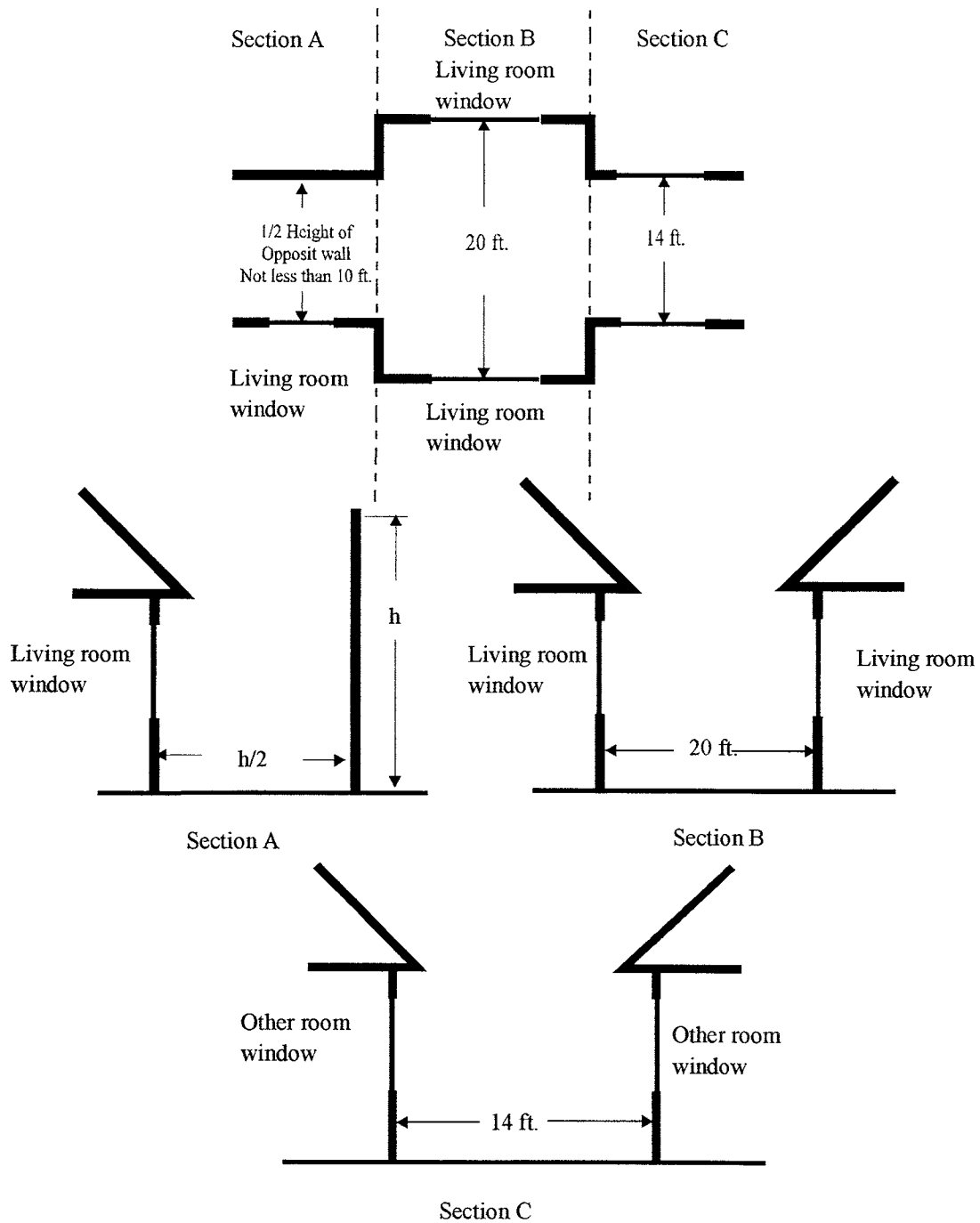
(2) Courts Opposite Interior Property Line: The minimum distance between a required window of a habitable room and a property line shall be 10 feet. (3334-6/97, 3410-3/99)

(3) Court Dimensions: Courts shall be minimum 20 feet wide (minimum 10 feet on either side of the centerline of the required window) and shall be open to the sky. Eaves may project a maximum 2 feet into a court. (3334-6/97, 3410-3/99)

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ATTACHMENT NO. 3.19

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards



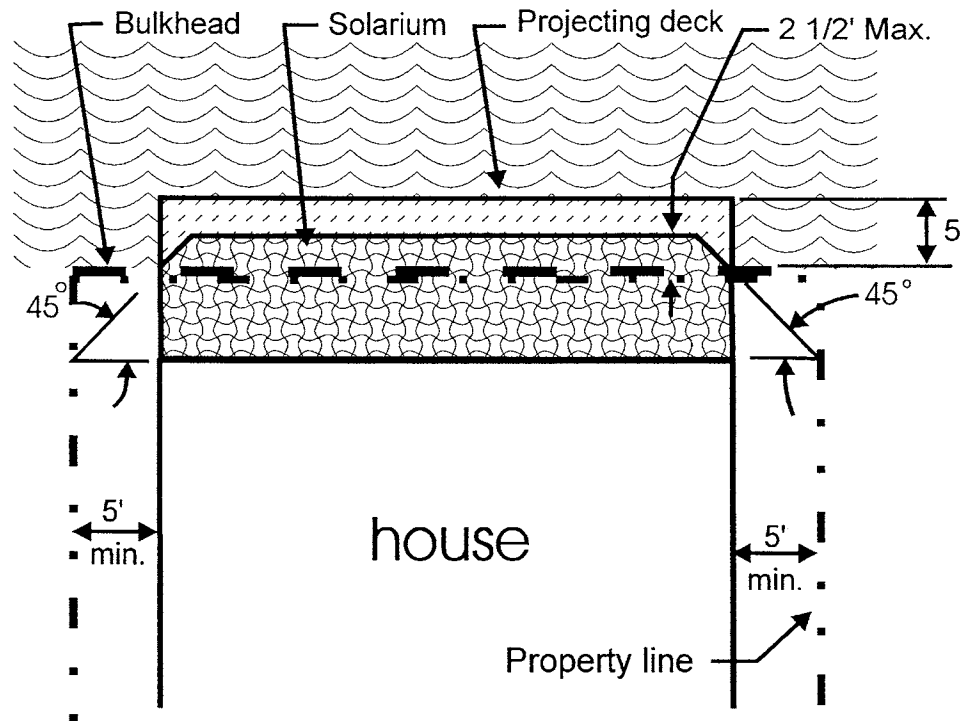
COURTS OPPOSITE WINDOWS
(3334-6/97)

210-CRT.CDR

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (Q) All habitable rooms in a dwelling unit must be accessible from within the dwelling. (3334-6/97, 3410-3/99)
- (R) Waterfront Lots. Projecting decks, windscreens, fencing, patio covers and solariums on waterfront lots may be permitted subject to the development standards set forth in this Chapter, Chapter 245, Chapter 17.24, and the following requirements: (3334-6/97)
- (1) Projecting Decks. Decks on waterfront lots may project 5 feet beyond the bulkhead provided the decks comply with the side setbacks required for the main dwelling. (3334-6/97, 3410-3/99)
 - (2) Windscreens. Windscreens may be permitted if constructed of light-weight materials such as plastic, canvas, fiberglass, tempered glass or metal, except for necessary bracing and framing. The maximum height for windscreens shall be 7 feet above the finished surface of the deck at the bulkhead line. (3334-6/97)
 - (3) Fencing. All portions of fencing within the required rear setback area shall comply with Chapter 230.88 and the visibility provisions below. (3334-6/97, 3410-3/99)
 - (4) Solariums. Solariums (patio enclosures) may project a maximum of 30 inches over the bulkhead. In all cases, the solarium shall maintain a 45 degree (45°) visibility angle as measured from the main dwelling building line extended to the side property line. The maximum height shall not exceed the top of the first floor ceiling joist. (3334-6/97, 3410-3/99)
 - (5) Patio Covers. Patio covers (including eaves) may be permitted to project 5 feet into the rear yard setback, however, construction materials shall allow compliance with visibility provisions below. (3334-6/97, 3410-3/99)
 - (6) Visibility. The portion of any windscreen, fence or patio cover in the rear yard setback or solarium above 36 inches in height shall be composed of materials and design which allow a minimum of 85% transmission of light and visibility through the structure in each direction when viewed from any angle. (3334-6/97)
 - (7) Removal. Decks, solariums and windscreens projecting over waterways which do not comply with the above provisions may be removed by the city upon 30-days' written notice. Such projections are declared to be a privilege which can be revoked for noncompliance and not a vested right. (3334-6/97)

(Rest of page not used)



210-14b CDR

WATERFRONT LOT PROJECTIONS

(3334-6/97)

(S) Landscaping

- (1) A minimum 40% of the front yard shall be landscaped. For single family residences in the RMH-A subdistrict, a minimum 3 foot wide landscape planter along the front property line (excluding max. 5 ft. wide walkway) may be provided in lieu of the 40% requirement. A maximum 18 inch high planter wall may be constructed along the front property line. (3334-6/97, 3410-3/99)
- (2) All required trees specified in Chapter 232 shall be provided. (3410-3/99)
- (3) All subdivisions shall provide a minimum 5 foot wide landscaped area along arterial street/highway property lines. The actual required width shall be determined during the planning process. Maintenance of said landscaped area shall be by a homeowners association, property owner or other method approved by the City of Huntington Beach. (3334-6/97, 3410-3/99)

- (T) Lighting. A lighting system shall be provided in all multi-family projects along all vehicular access ways and major walkways. Lighting shall be directed onto the driveways and walkways within the development and away from adjacent properties. A lighting plan shall be submitted for approval by the Director. (3334-6/97)

ATTACHMENT NO. 3.22

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- (U) See Section 230.08: Accessory Structures (3334-6/97, 3410-3/99)
- (V) Solid patio covers open on at least 2 sides may be permitted an additional 5% site coverage. Open lattice patio covers are exempted from site coverage standards. (3410-3/99)

210.08 Development Standards for Senior Projects

This section establishes development standards for Senior Residential Projects that may be permitted by the Planning Commission. (3334-6/97, 3410-3/99)

- A. Minimum Floor Area. Each dwelling unit shall have a minimum floor area of 450 square feet. (3334-6/97, 3410-3/99)
- B. Minimum Setbacks. The project shall comply with the minimum setback requirements of the district applicable to the site. (3334-6/97)
- C. Minimum Distance between Buildings. Minimum building separation shall be 10 feet. (3334-6/97, 3410-3/99)
- D. Building Design. No structure shall exceed 180 feet in length. To provide variation in building facades, two of the following architectural elements are required as part of each building: sloped roofs; bay windows; awnings; roof eaves; cornices; balconies; or patios. (3334-6/97)
- E. Open Space Requirements. (3334-6/97, 3410-3/99)
 - 1. Private Open Space: A minimum of 60 square feet of private open space for studios or one bedroom units and 120 square feet for two or more bedrooms, with minimum dimensions of 6 feet. (3334-6/97, 3410-3/99)
 - 2. Common Open Space: A minimum of 2,500 square feet for the first 50 units, and an additional 50 square feet for each unit over 50. (3334-6/97, 3410-3/99)
 - 3. Community Club House: An enclosed community or clubhouse facility containing minimum 7 square feet per unit, and a total area of minimum 400 square feet, may satisfy up to 50% of the common open space requirement. The clubhouse shall include handicapped bathrooms and kitchen facilities to be used by project residents and their guests only. (3334-6/97, 3410-3/99)
- F. Elevators. Buildings with more than 2 levels, including living areas or parking, shall have elevators. (3334-6/97)
- G. Parking. Parking shall comply with Chapter 231. Any parking space over and above the one space per unit shall be marked for guest use. (3334-6/97)

210.10 Modifications for Affordable Housing

The Planning Commission may approve a conditional use permit modifying the minimum property development standards in this chapter for affordable housing, as provided in Section 230.14. The proposed modifications shall be requested in writing by the applicant, accompanied by a detailed pro-forma, rental guidelines, deed restrictions, financial subsidies, and other types of documentation which will serve to demonstrate the need for a reduction of development standards. Modifications to the standards may include, but are not limited to, the parking requirements and open space. The specific standard(s) from which the applicant is requesting relief shall be identified and alternative development standard(s) proposed. (3334-6/97, 3410-3/99)

210.12 Planned Unit Development Supplemental Standards and Provisions

This section establishes supplemental development standards and provisions that shall apply to all planned unit developments. (3334-6/97)

- A. Maps. A tentative and final or parcel map shall be approved pursuant to Title 25, Subdivisions. (3334-6/97)
- B. Project Design.
 - 1. Driveway parking for a minimum of fifty percent of the units shall be provided when units are attached side by side. (3334-6/97)
 - 2. A maximum of six units may be attached side by side and an offset on the front of the building a minimum of four (4) feet for every two units shall be provided. (3334-6/97)
 - 3. A minimum of one-third of the roof area within a multi-story, multi-unit building shall be one story less in height than the remaining portion of the structure's roof area. (3334-6/97)
- C. Common Areas. Every owner of a lot or dwelling unit shall own as an appurtenance to such unit or lot either an undivided interest in the common areas and facilities or a share in the corporation, community association, or limited partnership owning the common areas and facilities. (3334-6/97)
- D. Covenants. The developer shall submit a covenant setting forth a plan or manner of permanent care and maintenance of all common areas and communal facilities. Such covenant shall be included in the Covenant, Conditions, and Restrictions (CC&R's) applying to the property and shall be approved by the City Attorney and Director. The CC&R's shall be approved prior to final or parcel map approval and when approved, shall be recorded in the office of the Orange County Recorder. (3334-6/97)
- E. Maintenance. The corporation, community association, or limited partnership shall have the responsibility of maintaining the common areas and facilities as shown on the final development plans, the buildings and use of property for planned unit development. (3334-6/97)

ATTACHMENT NO. 3.24

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- F. Sale of Lots. No dwelling unit or lot shall be sold or encumbered separately from an interest in the common areas and facilities in the development which shall be appurtenant to such dwelling unit or lot. No lot shall be sold or transferred in ownership from the other lots in the total development or approved phase of the development unless all approved community buildings, structures and recreational facilities for the total development, or approved phase thereof, have been completed, or completion is assured, by bonding or other method satisfactory to the City. (3334-6/97)
- G. Management Agreement. No lot or dwelling unit in the development shall be sold unless a corporation, community association, or limited partnership has been formed with the right to assess all those properties which are jointly owned with interests in the common areas and facilities in the development to meet the expenses of such entity, and with authority to control, and the duty to maintain, all of said mutually available features of the development. Said entity shall operate under recorded CC&R's which shall include compulsory membership of all owners of lots and/or dwelling units, and flexibility of assessments to meet changing costs of maintenance, repairs and services. The developer shall submit evidence of compliance with this requirement to and receive approval of the City prior to making any such sale. This condition shall not apply to land dedicated to the City for public purposes. (3334-6/97)

210.14 RMP District Supplemental Development Standards

This section establishes supplemental standards for the development of manufactured home parks. (3334-6/97)

- A. Individual space setbacks for manufactured homes and accessory structures shall be landscaped and are as follows:
- | | |
|-------|---|
| Front | minimum 5 feet |
| Side | 10 feet aggregate, minimum 3 feet on any side |
| Rear | minimum 5 feet |
- (3334-6/97, 3410-3/99)
- B. Each space shall be provided with a minimum 150 cubic feet of enclosed, usable storage space. (3334-6/97, 3410-3/99)
- C. The undercarriage of all manufactured homes shall be screened from view on all sides. (3334-6/97)
- D. A six foot high concrete or masonry wall shall be provided along all interior property lines of the manufactured home park. In addition, a 20 foot wide landscaped berm or a 10 foot wide landscaped area and a 6 foot high wall shall be located at the minimum front setback line. (3334-6/97, 3410-3/99)
- E. A boat or trailer storage area shall be provided and screened from view by a 6 foot high fence or wall. (3334-6/97, 3410-3/99)
- F. Maximum site coverage for each individual manufactured home space shall be 75%. (3334-6/97, 3410-3/99)

ATTACHMENT NO. 325

RL, RM, RMH, RH, and RMP Districts: Additional Development Standards

- G. Projects in the RMP district shall provide a minimum common open space area of 200 square feet per manufactured home space. (3410-3/99)

210.16 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the ~~Community Development~~**Planning** Department for review. Discretionary review shall be required as follows: (3334-6/97)

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots; see Chapter 241. (3334-6/97, 3410-3/99)
- B. Design Review Board. See Chapter 244. (3334-6/97, 3410-3/99)
- C. Planning Commission. Projects requiring a conditional use permit from the Planning Commission; see Chapter 241. (3334-6/97, 3410-3/99)
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245. (3334-6/97)

ATTACHMENT NO. 3-26

LEGISLATIVE DRAFT

Chapter 211 C Commercial Districts

(3285-6/95, 3341-10/96, 3334-6/97, 3482-12/00, 3522-2/02, 3553-5/02, 3568-9/02, 3707-6/05, 3774-9/07)

(Note: Ordinance No. 3774-9/07 is subject to approval by the California Coastal Commission)

Sections:

| | |
|--------|--|
| 211.02 | Commercial Districts Established |
| 211.04 | CO, CG, and CV Districts: Land Use Controls |
| 211.06 | CO, CG and CV Districts: Development Standards |
| 211.08 | Review of Plans |

211.02 Commercial Districts Established

The purpose of the Commercial districts is to implement the General Plan and Local Coastal Program commercial land use designations. Three (3) commercial zoning districts are established by this chapter as follows: (3334-6/97)

- A. The CO Office Commercial District provides sites for offices for administrative, financial, professional, medical and business needs.
- B. The CG General Commercial District provides opportunities for the full range of retail and service businesses deemed suitable for location in Huntington Beach.
- C. The CV Visitor Commercial District implements the Visitor Serving Commercial land use designation within the coastal zone and provides uses of specific benefit to coastal visitors. More specifically, the CV district provides opportunities for visitor-oriented commercial activities, including specialty and beach related retail shops, restaurants, hotels, motels, theaters, museums, and related services. (3334-6/97)

211.04 CO, CG, and CV Districts: Land Use Controls

In the following schedules, letter designations are used as follows:

"P" designates use classifications permitted in commercial districts.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" that follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

"TU" designates use classifications allowed upon approval of a temporary use permit.

ATTACHMENT NO. 3.27

"P/U" for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use.

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the Zoning Ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

| | | | |
|---|-----|---|--|
| | P | = | Permitted |
| | L | = | Limited (see <u>Additional Provisions</u>) |
| CO, CG, and CV Districts Land Use Controls | PC | = | Conditional use permit approved by Planning Commission |
| | ZA | = | Conditional use permit approved by Zoning Administrator |
| | TU | = | Temporary Use Permit |
| | P/U | = | Requires conditional use permit on site of conditional use |
| | - | = | Not Permitted |

| | CO | CG | CV | Additional Provisions |
|---------------------------------------|-----|-----|-----|-------------------------------------|
| Residential | | | | (J)(Q)(R)(V) (3334-6/97) |
| Group Residential | PC | PC | PC | (3334-6/97) |
| Multifamily Residential | - | - | PC | (3334-6/97) |
| Public and Semipublic | | | | (J)(Q)(R)(V) (3334-6/97, 3553-5/02) |
| Clubs and Lodges | P | P | - | (3334-6/97, 3707-6/05) |
| Community and Human Services | | | | |
| Drug Abuse Centers | - | PC | - | |
| Primary Health Care | L11 | L11 | - | (3522-2/02) |
| Emergency Kitchens | - | L-2 | - | |
| Emergency Shelters | - | L-2 | - | |
| Residential Alcohol Recovery, General | - | PC | - | |
| Residential Care, General | ZA | ZA | - | (3707-06/05) |
| Convalescent Facilities | ZA | ZA | - | (3707-06/05) |
| Cultural Institutions | PC | PC | PC | |
| Day Care, General | L-3 | L-3 | - | (3707-06/05) |
| Day Care, Large-Family | P | P | - | (Y) (3522-2/02) |
| Emergency Health Care | L-2 | L-2 | - | (3334-6/97) |
| Government Offices | P | P | PC | (3334-6/97) |
| Heliports | PC | PC | PC | (B) |
| Hospitals | PC | PC | - | (3334-6/97) |
| Park & Recreation Facilities | L-9 | L-9 | L-9 | |
| Public Safety Facilities | PC | PC | PC | |
| Religious Assembly | ZA | ZA | - | (3522-2/02) (3522-2/02) |
| Schools, Public or Private | PC | PC | - | |
| Utilities, Major | PC | PC | PC | |
| Utilities, Minor | P | P | P | (L) |

ATTACHMENT NO. 328

| | | | |
|---|-----|---|--|
| | P | = | Permitted |
| CO, CG, and CV Districts Land Use Controls | L | = | Limited (see <u>Additional Provisions</u>) |
| | PC | = | Conditional use permit approved by Planning Commission |
| | ZA | = | Conditional use permit approved by Zoning Administrator |
| | TU | = | Temporary Use Permit |
| | P/U | = | Requires conditional use permit on site of conditional use |
| | - | = | Not Permitted |

| | CO | CG | CV | Additional Provisions |
|---|------|------|------|---|
| Commercial Uses | | | | (J)(Q)(R) (3341-0/96) |
| Ambulance Services | - | ZA | - | |
| Animal Sales & Services | | | | |
| Animal Boarding | - | ZA | - | (3522-2/02) |
| Animal Grooming | - | P | - | |
| Animal Hospitals | - | ZA | - | (3522-2/02) |
| Animals: Retail Sales | - | P | - | |
| Equestrian Centers (CG Zone) | - | PC | - | (S) (3707-6/05) |
| Pet Cemetery | - | PC | - | |
| Artists' Studios | P | P | P | |
| Banks and Savings & Loans | P | P | P | |
| With Drive-Up Service | P | P | P | (3522-2/02) |
| Building Materials and Services | - | P | - | |
| Catering Services | P | P | P | |
| Commercial Filming | P | P | P | (F) |
| Commercial Recreation and Entertainment | - | PC | PC | (D) |
| Communication Facilities | L-13 | L-13 | L-13 | (3568-9/02) |
| Eating and Drinking Estab. | L-4 | L-4 | L-4 | (3522-2/02, 3707-6/05) |
| W/Alcohol | ZA | ZA | ZA | (N)(Y) (3522-2/02) |
| W/Drive Through | - | P | P | (3522-2/02, 3707-6/05) |
| W/Live Entertainment | ZA | ZA | ZA | (W)(Y) (3522-2/02) |
| W/Dancing | PC | PC | PC | (H) |
| W/Outdoor Dining | ZA | ZA | ZA | (X)(Y) (3522-2/02) |
| Food & Beverage Sales | - | P | L-2 | |
| W/Alcoholic Beverage Sales | - | ZA | ZA | (N) |
| Funeral & Internment Services | - | ZA | - | |
| Laboratories | L-1 | L-1 | - | |
| Maintenance & Repair Services | - | P | - | |
| Marine Sales and Services | - | P | P | |
| Nurseries | - | ZA | - | |
| Offices, Business & Professional | P | P | P | (3334-6/97) |
| Pawn Shops | - | ZA | - | |
| Personal Enrichment Services | L-10 | L-10 | - | (Y) (3522-2/02) |
| Personal Services | P | P | P | |
| Research & Development Services | L-1 | ZA | - | |
| Retail Sales | - | P | P | (U)(V) (3285-6/95, 3334-6/97, 3482-12/00) |
| Secondhand Appliances/Clothing | - | P | - | |
| Swap Meets, Indoor/Flea Markets | - | PC | - | (T) |
| Swap Meets, Recurring | - | ZA | - | |
| Tattoo Establishments | - | PC | - | |
| Travel Services | P | P | P | |

ATTACHMENT NO. 3.29

| | | | |
|---|-----|---|--|
| CO, CG, and CV Districts Land Use Controls | P | = | Permitted |
| | L | = | Limited (see <u>Additional Provisions</u>) |
| | PC | = | Conditional use permit approved by Planning Commission |
| | ZA | = | Conditional use permit approved by Zoning Administrator |
| | TU | = | Temporary Use Permit |
| | P/U | = | Requires conditional use permit on site of conditional use |
| | - | = | Not Permitted |

| | CO | CG | CV | Additional Provisions |
|---|-----|-----|-----|---|
| Vehicle Equipment/Sales & Services | | | | |
| Automobile Rentals | - | L-8 | L-8 | L-12 |
| Automobile Washing | - | ZA | - | (3707-6/05) |
| Commercial Parking | - | ZA | ZA | (P) (3707-6/05) |
| Service Stations | - | PC | PC | (E) |
| Vehicle Equip. Repair | - | L-5 | - | |
| Vehicle Equip. Sales & Rentals | ZA | ZA | - | L-12 (3522-2/02) |
| Vehicle Storage | - | ZA | - | (3707-6/05) |
| Visitor Accommodations | | | | |
| Bed & Breakfast Inns | PC | PC | PC | (K) (3707-6/05, 3774-9/07 subject to approval by the CA Coastal Commission) |
| Hotels, Motels | - | PC | PC | (I) (3334-6/97, 3707-6/05, 3774-9/07 - subject to approval by the CA Coastal Commission) |
| Condominium – Hotel | - | - | PC | (Z) (3774-9/07, 3707-9/07 subject to approval by the CA Coastal Commission) |
| Fractional Ownership Hotel | | | | (3774-9/07 - subject to approval by the CA Coastal Commission) |
| Quasi Residential | | | | |
| Timeshares | - | PC | - | (I)(J) (3334-6/97 3774-9/07 - subject to approval by the CA Coastal Commission)) |
| Residential Hotel | - | PC | - | (J) (3334-6/97, 3774-9/07 subject to approval by the CA Coastal Commission)) |
| Single Room Occupancy | - | PC | - | (3774-9/07, 3774-9/07 subject to approval by the CA Coastal Commission)) |
| Industrial | | | | |
| Industry, Custom | - | L-6 | L-6 | (J)(Q)(R)(V) (3334-6/97) |
| Accessory Uses | | | | |
| Accessory Uses & Structures | P/U | P/U | P/U | (J)(V) (3334-6/97) |
| Temporary Uses | | | | |

| | | | | | |
|------------------------------------|----|----|----|-----|------------------------|
| Animal Shows | - | TU | - | | |
| Circus and Carnivals and Festivals | - | TU | - | | (3522-2/02) |
| Commercial Filming, Limited | - | P | P | (M) | |
| Real Estate Sales | P | P | P | | (3522-2/02, 3707-6/05) |
| Retail Sales, Outdoor | - | TU | TU | (M) | (3522-2/02) |
| Seasonal Sales | TU | TU | TU | (M) | (3522-2/02) |
| Tent Event | - | P | - | | (3522-2/02, 3707-6/05) |
| Trade Fairs | - | P | - | | (3707-6/05) |

Nonconforming Uses

(G)(J)(V)

(3334-6/97)

(Rest of page not used)

ATTACHMENT NO. 3.31

CO, CG, and CV Districts: Additional Provisions

- L-1 Permitted if the space is 5,000 square feet or less; allowed with Neighborhood Notification pursuant to Chapter 241 if the laboratory space exceeds 5,000 square feet. (3707-6/05)
- L-2 Allowed with a conditional use permit from the Zoning Administrator if the space is 5,000 square feet or less; allowed with a conditional use permit from the Planning Commission if the space exceeds 5,000 square feet. (3707-6/05)
- L-3 Allowed with a conditional use permit from the Zoning Administrator if the space is 2,500 square feet or less; allowed with a conditional use permit from the Planning Commission if the space exceeds 2,500 square feet. (3334-6/97, 3707-6/05))
- L-4 Permitted if greater than 300 feet from residential zone or use; if 300 feet or less from residential zone or use neighborhood notification is required pursuant to Chapter 241. (3522-2/02, 3707-6/05)
- L-5 Only "limited" facilities are allowed subject to approval of a conditional use permit from the Zoning Administrator, and body and fender shops are permitted only as part of a comprehensive automobile-service complex operated by a new vehicle dealer.
- L-6 Only "small-scale" facilities, as described in Use Classifications, are permitted with a maximum 7 persons employed full time in processing or treating retail products, limited to those sold on the premises. (3522-2/02)
- L-7 Repealed. (3707-6/05)
- L-8 On-site storage limited to two rental cars or two cars for lease. (3707-6/05)
- L-9 Public facilities permitted, but a conditional use permit from the Zoning Administrator is required for commercial facilities.
- L-10 Permitted if the space is 5,000 square feet or less; allowed with conditional use permit approval from the Zoning Administrator if space exceeds 5,000 square feet. (3522-2/02, 3707-6/05)

In addition, Personal Enrichment uses within a retail building parked at a ratio of one (1) space per 200 square feet, shall require no additional parking provided the use complies with the following: (3522-2/02)

- Maximum number of persons per classroom does not exceed the number of parking spaces allocated to the suite based upon the square footage of the building; and (3522-2/02)
- The instruction area does not exceed 75 percent of total floor area of the personal enrichment building area. (3522-2/02)

- L-11 Permitted if the space is 5,000 square feet or less; allowed with a conditional use permit from the Zoning Administrator if the space exceeds 5,000 square feet. (3522-2/02, 3707-6/05)

- L-12 Permitted for existing facilities proposing to expand up to 20% of existing floor area or display area. (3522-2/02, 3707-6/05)
- L-13 For wireless communication facilities see Section 230.96 Wireless Communication Facilities. All other communication facilities permitted. (3568-9/02)
- (A) Reserved. (3553-5/02)
- (B) See Section 230.40: Helicopter Takeoff and Landing Areas.
- (C) Repealed (3378-2/98)
- (D) See Section 230.38: Game Centers; Chapter 5.28: Dance Halls; Chapter 9.24: Card Rooms; Chapter 9.32: Poolrooms and Billiards; and Chapter 9.28: Pinball Machines.
- (E) See Section 230.32: Service Stations.
- (F) See Section 241.20: Temporary Use Permits
- (G) See Chapter 236: Nonconforming Uses and Structures.
- (H) For teen dancing facilities, bicycle racks or a special bicycle parking area shall be provided. These may not obstruct either the public sidewalk or the building entry. See also Chapter 5.28: Dancing Halls; Chapter 5.44: Restaurants - Amusement and Entertainment Premises, and Chapter 5.70: Adult Entertainment Businesses. (3341-10/96)
- (I) Only permitted on a major arterial street, and a passive or active outdoor recreational amenity shall be provided. (3707-6/05)
- (J) In the CV District the entire ground floor area and at least one-third of the total floor area shall be devoted to visitor-oriented uses as described in the certified Local Coastal Program Land Use Plan. Any use other than visitor serving commercial shall be located above the ground level, and a conditional use permit from the Planning Commission or the Zoning Administrator is required. Any use other than visitor serving commercial uses shall only be permitted if visitor serving uses are either provided prior to the other use or assured by deed restriction as part of the development. No office or residential uses shall be permitted in any visitor serving designation seaward of Pacific Coast Highway. (3334-6/97, 3707-6/05)
- (K) See Section 230.42: Bed and Breakfast Inns.
- (L) See Section 230.44: Recycling Operations.
- (M) Subject to approval by the Police Department, Public Works Department, Fire Department and the Director. See also Section 230.86 Seasonal Sales.
- (N) The following businesses proposing to sell alcoholic beverages for on-site or off-site consumption are exempt from the conditional use permit process:

- (1) Retail markets with no more than 10 percent of the floor area devoted to sales, display, and storage of alcoholic beverages provided the sale of alcoholic beverages is not in conjunction with the sale of gasoline or other motor vehicle fuel. (3522-2/02)
- (2) Restaurants, Bars-and Liquor stores located 300 feet or more from any R or PS district, public or private school, church, or public use. (3522-2/02)
- (3) Florist shops offering the sale of a bottle of an alcoholic beverage together with a floral arrangement.
- (O) See Section 230.46: Single Room Occupancy.
- (P) See Chapter 231 for temporary and seasonal parking.
- (Q) Development of vacant land or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Planning Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic). (3522-2/02)
- (R) Projects within 500 feet of a PS District see Chapter 244.
- (S) See Section 230.48: Equestrian Centers
- (T) See Section 230.50: Indoor Swap Meets/Flea Markets
- (U) See Section 230.94: Carts and Kiosks (3248-6/95, 3334-6/97, 3482-12/00)
- (V) In the coastal zone, the preferred retail sales uses are those identified in the Visitor Serving Commercial land use designation which provide opportunities for visitor-oriented commercial activities including specialty and beach related retail shops, restaurants, hotels, motels, theaters, museums, and related services.
- (W) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit. (3522-2/02)
- (X) Outdoor dining with alcohol sales shall be permitted with a conditional use permit to the Zoning Administrator. Outdoor dining without alcohol sales that is 400 square feet or less shall be permitted without a conditional use permit. If over 400 square feet with no alcohol sales, Neighborhood Notification shall be required pursuant to Chapter 241. (3522-2/02, 3707-6/05)
- (Y) Neighborhood Notification requirements pursuant to Chapter 241. (3522-2/02, 3707-6/05)
- (Z) In the CV District, Condominium-Hotels and/or Fractional Interest Hotels are allowed only at the Pacific City (Downtown Specific Plan District 7) and Waterfront (Downtown Specific Plan District 9) sites. Refer to Downtown Specific Plan. (3774-9/07 subject to approval by the CA Coastal Commission)

ATTACHMENT NO. 3.34

211.06**CO, CG and CV Districts: Development Standards**

The following schedule prescribes development standards for the CO, CG and CV districts. The first three columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Requirements" column refer to standards following the schedule or located elsewhere in the zoning ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions.

(Rest of page not used)

ATTACHMENT NO. 3.35

**CO, CG and CV DISTRICTS
DEVELOPMENT STANDARDS**

| | CO | CG | CV | Additional Requirements |
|------------------------------------|--------|--------------------|--------|-------------------------|
| Residential Development | | | | (A)(B) |
| Nonresidential Development | | | | (B) |
| Minimum Lot Area (sq. ft.) | 10,000 | 10,000 | 10,000 | (C) |
| Minimum Lot Width (ft.) | 100 | 100 | 100 | |
| Minimum Setbacks | | | | |
| Front (ft.) | 10 | 10 | 0 | (D)(E)(O) (3707-6/05) |
| Side (ft.) | 5 | 0 | 0 | (F) (3707-6/05) |
| Street Side (ft.) | 10 | 10 | 0 | (E) (3707-6/05) |
| Rear (ft.) | 5 | 0 | 0 | (F) (3707-6/05) |
| Maximum Height of Structures (ft.) | 40 | 50 | 50 | (F)(G) |
| Maximum Wall Dimensions | | | | (N) |
| Maximum Floor Area Ratio (FAR) | 1.0 | 1.5 | 1.5 | |
| Minimum Site Landscaping (%) | 8 | 8 | 8 | (H)(I) |
| Building Design Standards | | | | (O) |
| Fences and Walls | | | | (J)(K) |
| Off-Street Parking/Loading | | | | (L) |
| Outdoor Facilities | | See Section 230.74 | | (M) (3707-6/05) |
| Screening of Mechanical Equipment | | See Section 230.76 | | (M) |
| Refuse Storage Areas | | See Section 230.78 | | |
| Underground Utilities | | See Chapter 17.64 | | |
| Performance Standards | | See Section 230.82 | | |
| Nonconforming Structures | | See Chapter 236 | | |
| Signs | | See Chapter 233 | | |

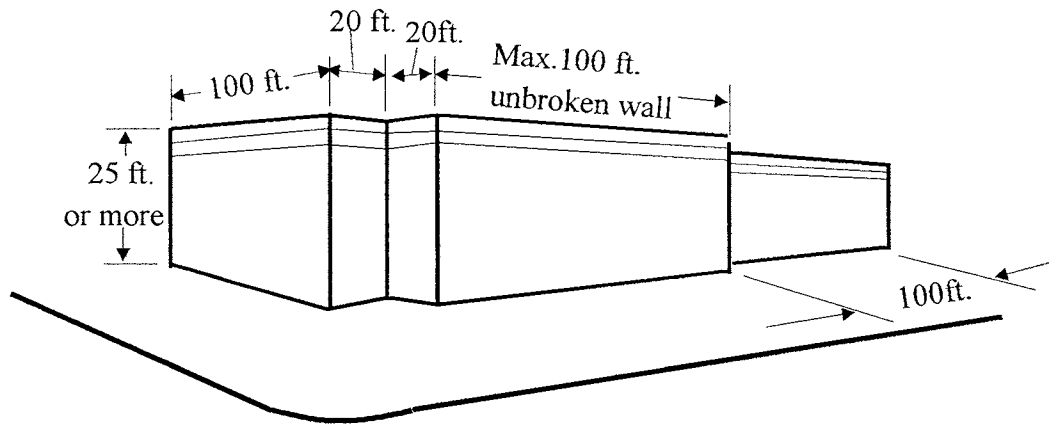
CO, CG, and CV Districts: Additional Development Standards

- (A) Dwelling units shall be subject to the standards for minimum setbacks, height limits, maximum density, open space, balconies and bay windows, and parking for the RMH District. The setback standards shall apply only to the stories of a building that are intended for residential use.
- (B) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots.
- (C) The minimum site area for a hotel or motel is 20,000 square feet.
- (D) See Section 230.68: Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage.
- (E) A minimum 50-foot setback is required along Beach Boulevard, Pacific Coast Highway and Edinger Avenue or 25-foot setback with the setback area entirely landscaped.

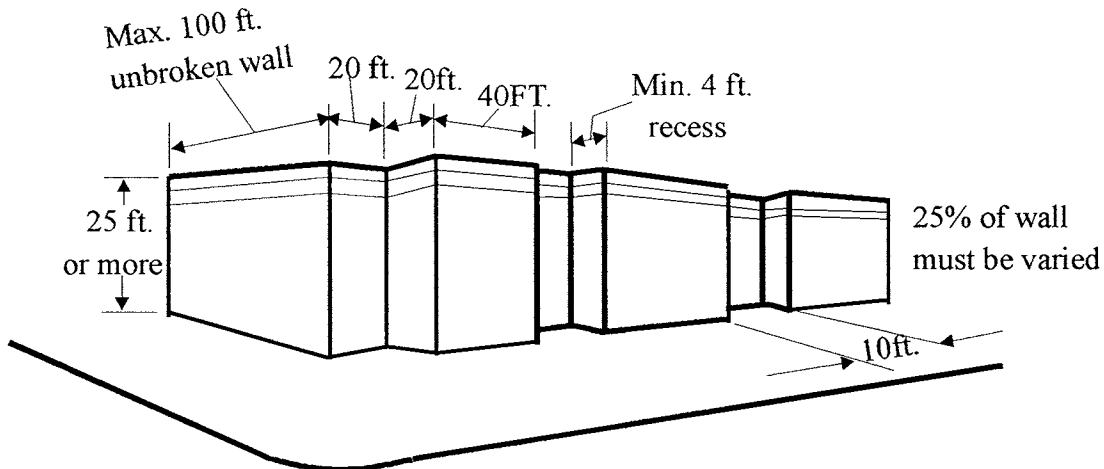
- (F) Along a side or rear property line abutting an R district, a 10-foot setback is required, and structures within 45 feet of the district boundary shall not exceed 18 feet in height.
- (G) See Section 230.70: Measurement of Height and Section 230.72: Exceptions to Height Limits.
- (H) Planting Areas:
 - (1) Required front and street side yards shall be planting areas except properties with 50 foot setback shall provide a minimum 10 foot wide planting area along street frontages.
 - (2) Required side and rear yards shall be planting areas or shall be enclosed by a solid concrete or masonry wall at least 6 feet in height.
 - (3) Hotels and Motels. A 15-foot wide landscaped strip shall be provided along all street frontages, except for necessary driveways and walks.
- (I) See Chapter 232: Landscape Improvements.
- (J) See Section 230.88: Fencing and Yards.
- (K) A solid masonry or concrete wall at least 6 feet in height shall adjoin the site of an existing ground-floor residential use. However, where the portion of the site within 10 feet of the front property line is occupied by planting area or by a building having no openings except openings opposite a street property line, the Director may grant an exception to this requirement. A wall within 15 feet of a street property line shall not exceed 3.5 feet in height.
- (L) See Chapter 231: Off-Street Parking and Loading.
- (M) See Section 230.44: Recycling Operations and Section 230.80: Antennae.
- (N) A front or street side wall surface shall be no longer than 100 feet without a break, a recess or offset measuring at least 20 feet in depth and one-quarter of the building length, or a series of offsets, projections or recesses at intervals of not more than 40 feet that vary the depth of the building wall by a minimum of 4 feet. The Director may grant exceptions or allow these standards to be modified for exceptional or unique structures subject to Design Review, Chapter 244.

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ATTACHMENT NO. 3.37



Single Horizontal Offsets: 20ft.



Variable Offsets: 20 ft. and 4 ft.

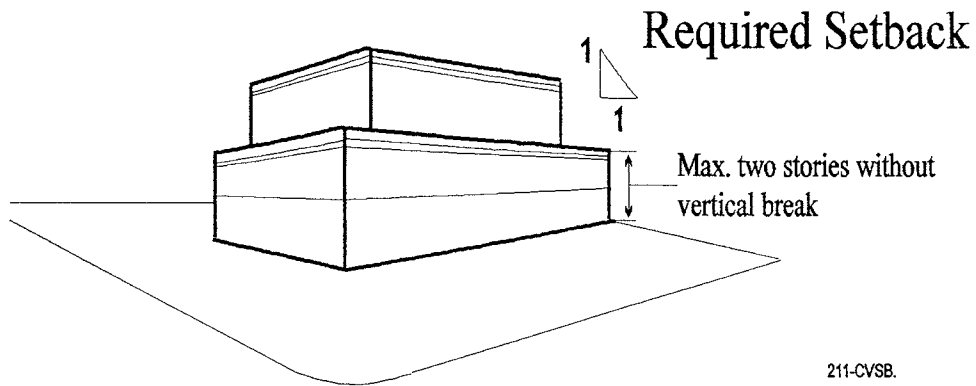
211-OFFS

MAXIMUM WALL LENGTH AND REQUIRED BREAK

- (O) Two building design standards are established to make commercial areas more attractive and provide a unified streetscape:
 - (1) In the CV District a 10-foot minimum upper-story setback is required above the second story along street frontages. (3707-6/05)

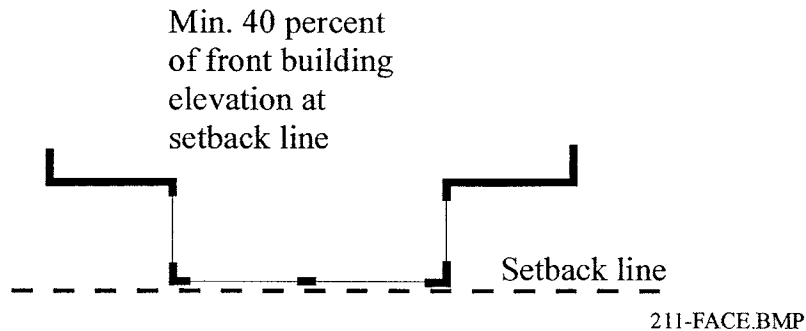
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ATTACHMENT NO. 3.38



CV DISTRICT: UPPER-STORY SETBACK

- (2) In the CO and CV Districts, and on frontages adjacent to major or primary arterials in the CG District at least 40 percent of a building surface may be located at the minimum setback line if additional landscaping is provided on the site.



BUILDING FACE AT SETBACK LINE

211.08 Review of Plans

All applications for new construction, initial establishment of use, exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be required as follows: (3522-2/02)

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots; see Chapter 241.
- B. Design Review Board. Projects within redevelopment project areas and areas subject to specific plans; projects within 500 feet of a PS District; **See Chapter 244.**
- C. Planning Commission. Projects requiring a conditional use permit from the Planning Commission; see Chapter 241.
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245.

ATTACHMENT NO. 3.39

LEGISLATIVE DRAFT

Chapter 212 I Industrial Districts

(3254-10/94, 3378-2/98, 3523-2/02, 3568-9/02, Emergency Ord. 3703-3/21/05, 3708-6/05, 3724-02/06, 3788-12/07)

Sections:

- | | |
|--------|--|
| 212.02 | Industrial Districts Established |
| 212.04 | IG and IL Districts: Land Use Controls |
| 212.06 | IG and IL Districts: Development Standards |
| 212.08 | Review of Plans |

212.02 Industrial Districts Established (3254-10/94)

Two (2) industrial zoning districts are established by this chapter as follows: (3254-10/94)

- A. The IG General Industrial District provides sites for the full range of manufacturing, industrial processing, resource and energy production, general service, and distribution. (3254-10/94)
- B. The IL Limited Industrial District provides sites for moderate- to low-intensity industrial uses, commercial services and light manufacturing. (3254-10/94)

212.04 IG and IL Districts: Land Use Controls (3254-10/94, 3788-12/07)

In the following schedules, letter designations are used as follows: (3254-10/94)

"P" designates use classifications permitted in the I districts. (3254-10/94)

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" which follow. (3254-10/94)

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission. (3254-10/94)

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator. (3254-10/94)

"TU" designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator. (3254-10/94)

"P/U" for an accessory use means that the use is permitted on the site of a permitted use, but requires a conditional use permit on the site of a conditional use. (3254-10/94)

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to requirements following the schedule or located elsewhere in this ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading. (3254-10/94)

ATTACHMENT NO. 3.40

LEGISLATIVE DRAFT

| | |
|-------------------|--|
| IG AND IL | P - Permitted |
| DISTRICTS: | L - Limited (see <u>Additional Provisions</u>) |
| LAND USE | PC - Conditional use permit approved by Planning Commission |
| CONTROLS | ZA - Conditional use permit approved by Zoning Administrator |
| | TU - Temporary Use Permit |
| | P/U - Requires conditional use permit on site of conditional use |
| | - - Not Permitted |

| | IG | IL | Additional Provisions |
|---|-----------|-----------|-------------------------------|
| Residential | | | |
| Group Residential | PC | PC | (J) |
| Public and Semipublic | | | (A)(M)(3708-6/05, 3724-02/06) |
| Community and Human Service Facilities | PC | PC | (L) (3708-6/05, 3724-02/06) |
| Day Care, General | ZA | ZA | (3523-2/02) |
| Heliports | PC | PC | (O) |
| Maintenance & Service Facilities | ZA | ZA | (3708-6/05) |
| Public Safety Facilities | P | P | |
| Religious Assembly | ZA | ZA | (3724-02/06) |
| Schools, Public or Private | L-6 | L-6 | |
| Utilities, Major | PC | PC | |
| Utilities, Minor | L-7 | L-7 | (P) |
| Commercial Uses | | | (D)(M) |
| Ambulance Services | ZA | ZA | |
| Animal Sales and Services | | | |
| Animal Boarding | ZA | ZA | (3523-2/02) |
| Animal Hospitals | ZA | ZA | (3523-2/02) |
| Artists' Studios | P | P | |
| Banks and Savings and Loans | L-1 | L-1 | |
| Building Materials and Services | P | P | |
| Catering Services | - | P | |
| Commercial Filming | ZA | ZA | |
| Commercial Recreation and Entertainment | L-2 | L-2 | |
| Communication Facilities | L-12 | L-12 | (3568-9/02) |
| Eating & Drinking Establishments | L-3 | L-3 | |
| w/Live Entertainment | ZA | ZA | (S)(U) (3523-2/02) |
| Food & Beverage Sales | ZA | ZA | (3523-2/02) |
| Hospitals and Medical Clinics | - | PC | |
| Laboratories | P | P | |
| Maintenance & Repair Services | P | P | |
| Marine Sales and Services | P | P | |
| Nurseries | P | P | |
| Offices, Business & Professional | L-1 | L-1 | (H) |

LEGISLATIVE DRAFT

| | |
|-------------------|--|
| IG AND IL | P - Permitted |
| DISTRICTS: | L - Limited (see Additional Provisions) |
| LAND USE | PC - Conditional use permit approved by Planning Commission |
| CONTROLS | ZA - Conditional use permit approved by Zoning Administrator |
| | TU - Temporary Use Permit |
| | P/U - Requires conditional use permit on site of conditional use |
| | - Not Permitted |

| | IG | IL | Additional Provisions |
|--|-----------|---------------------|------------------------------|
| Personal Enrichment | L-9 | L-9 | (U) (3523-2/02) |
| Personal Services | L-1 | L-1 | |
| Quasi Residential | PC | PC | (K) (3708-6/05) |
| Research & Development Services | P | P | |
| Sex Oriented Businesses | L-11 | L-11 | (3378-2/98) |
| (regulated by HBMC Chapter 5.70) | | | (3378-2/98) |
| Sex Oriented Businesses | PC | PC | (R) (3378-2/98) |
| (regulated by HBMC Chapters 5.24 & 5.60) | | | (3378-2/98) |
| Swap Meets, Indoor/Flea Markets | PC | PC | (Q) |
| Vehicle/Equipment Sales & Services | | | |
| Service Stations | L-4 | L-4 | |
| Vehicle/Equipment Repair | P | P | |
| Vehicle/Equip. Sales/Rentals | L-5 | L-5 | |
| Vehicle Storage | P | ZA | (I) |
| Visitor Accommodations | ZA | ZA | (3708-6/05) |
| Warehouse and Sales Outlets | L-8 | L-8 | |
| Industrial (See Chapter 204) | | | (B)(M)(N) |
| Industry, Custom | P | P | |
| Industry, General | P | P | |
| Industry, Limited | P | P | |
| Industry, R & D | P | P | |
| Wholesaling, Distribution & Storage | P | P | |
| Accessory Uses | | | |
| Accessory Uses and Structures | P/U | P/U | (C) |
| Temporary Uses | | | |
| Commercial Filming, Limited | P | P | (T) (3523-2/02) |
| Real Estate Sales | P | P | |
| | | | (3 |
| | | 523-2/02,3708-6/05) | |
| Trade Fairs | P | P | (E) (3708-6/05) |
| Nonconforming Uses | | | (F) |

ATTACHMENT NO. 3.42

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions

- L-1 Only allowed upon approval of a conditional use permit by the Zoning Administrator for a mixed use project, subject to the following requirements: (3254-10/94, 3708-6/05)
- Minimum site area: 3 acres (3254-10/94)
- Maximum commercial space: 35 percent of the gross floor area and 50 percent of the ground floor area of buildings fronting on an arterial highway. (3254-10/94)
- Phased development: 25 percent of the initial phase must be designed for industrial occupancy. For projects over 500,000 square feet, the initial phase must include 5 percent of the total amount of industrial space or 50,000 square feet of industrial space, whichever is greater. (3254-10/94)
- L-2 Allowed upon approval of a conditional use permit by the Zoning Administrator when designed and oriented for principal use by employees of the surrounding industrial development or when designed for general public use, after considering vehicular access and parking requirements. (3254-10/94, 3708-6/05)
- L-3 Allowed upon approval of a conditional use permit by the Zoning Administrator when in a free-standing structure or as a secondary use in a building provided that no more than 20 percent of the floor area is occupied by such a use. (3254-10/94, 3523-2/02)
- L-4 Only stations offering services primarily oriented to businesses located in an I District are allowed with a conditional use permit by the Planning Commission. (3254-10/94)
- L-5 No new or used automobile, truck or motorcycle retail sales are permitted. (3254-10/94)
- L-6 Only schools offering higher education curriculums are allowed with conditional use permit approval by the Planning Commission. No day care, elementary or secondary schools are permitted. (3254-10/94)
- L-7 Recycling Operations as an accessory use are permitted; recycling operations as a primary use are allowed upon approval of a conditional use permit by the Zoning Administrator. (3254-10/94, 3708-6/05)
- L-8 Allowed upon conditional use permit approval by the Planning Commission when a single building with a minimum area of 100,000 square feet is proposed on a site fronting an arterial. The primary tenant shall occupy a minimum 95% of the floor area and the remaining 5% may be occupied by secondary tenants. (3254-10/94)
- L-9 Permitted if the space is 5,000 square feet or less; allowed by Neighborhood Notification pursuant to Chapter 241 if the space is over 5,000 square feet. (3254-10/94, 3523-2/02, 3708-6/05)
- L-10 RESERVED (3254-10/94, 3523-2/02, 3724-02/06)

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IG AND IL Districts: Additional Provisions (continued)

L-11 Allowed subject to the following requirements: (3378-2/98)

- A. A proposed sex oriented business shall be at least five hundred feet (500') from any residential use, school, park and recreational facility, or any building used for religious assembly (collectively referred to as a "sensitive use") and at least seven hundred fifty feet (750') from another sex oriented business. For purposes of these requirements, all distances shall be measured from the lot line of the proposed sex oriented business to the lot line of the sensitive use or the other sex oriented business. The term "residential use" means any property zoned RL, RM, RMH, RH, RMP, and any properties with equivalent designations under any specific plan. (3378-2/98)

To determine such distances the applicant shall submit for review a straight line drawing depicting the distances from the lot line of the parcel of land on which the sex oriented business is proposed which includes all the proposed parking and:

(3378-2/98)

1. the lot line of any other sex oriented business within seven hundred fifty feet (750') of the lot line of the proposed sex oriented business; and (3378-2/98)
 2. the lot line of any building used for religious assembly, school, or park and recreational facility within five hundred (500') feet of the lot line of the proposed sex oriented business; and (3378-2/98)
 3. the lot line of any parcel of land zoned RL, RM, RMH, RH, and RMP and any parcels of land with equivalent designations under any specific plans within five hundred feet (500') of the lot line of the proposed sex oriented business. (3378-2/98)
- B. The front facade of the building, including the entrance and signage, shall not be visible from any major, primary or secondary arterial street as designated by the Circulation Element of the General Plan adopted May, 1996, with the exception of Argosy Drive. (3378-2/98)
- C. Prior to or concurrently with applying for a building permit and/or a certificate of occupancy for the building, the applicant shall submit application for Planning Department Staff Review of a sex oriented business zoning permit with the drawing described in subsection A, a technical site plan, floor plans and building elevations, and application fee. Within ten (10) days of submittal, the Director shall determine if the application is complete. If the application is deemed incomplete, the applicant may resubmit a completed application within ten (10) days. Within thirty days of receipt of a completed application, the Director shall determine if the application complies with the applicable development and performance standards of the

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions (continued)

Huntington Beach Zoning and Subdivision Ordinance. Said standards include but are not limited to the following: (3378-2/98)

1. Chapter 203, Definitions; Chapter 212, Industrial Districts; Chapter 230, Site Standards; Chapter 231, Off-Street Parking & Loading Provisions; Chapter 232, Landscape Improvements; and Chapter 236, Nonconforming Uses and Structures. (3378-2/98)
2. Chapter 233.08(b), Signs. Signage shall conform to the standards of the Huntington Beach Zoning and Subdivision Ordinance Code except
 - a. that such signs shall contain no suggestive or graphic language, photographs, silhouettes, drawings, statues, monuments, sign shapes or sign projections, or other graphic representations, whether clothed or unclothed, including without limitation representations that depict "specified anatomical areas" or "specified sexual activities"; and (3378-2/98)
 - b. only the smallest of the signs permitted under Chapter 233.08(b) shall be visible from any major, primary or secondary arterial street, such streets shall be those designated in the Circulation Element of the General Plan adopted May, 1996, with the exception of Argosy Drive.
3. Compliance with Huntington Beach Municipal Code Chapter 5.70. (3378-2/98)
- D. The Director shall grant or deny the application for a sex oriented business zoning permit for a sex oriented business. There shall be no administrative appeal from the granting or denial of a permit application thereby permitting the applicant to obtain prompt judicial review. (3378-2/98)
- E. Ten (10) working days prior to submittal of an application for a sex oriented business zoning permit for Staff Review, the applicant shall: (i) cause notice of the application to be printed in a newspaper of general circulation; and (ii) give mailed notice of the application to property owners within one thousand (1000') feet of the proposed location of the sex oriented business; and the City of Huntington Beach, Department of Community Development by first class mail. (3378-2/98)

The notice of application shall include the following: (3378-2/98)

1. Name of applicant; (3378-2/98)
2. Location of proposed sex oriented business, including street address (if known) and/or lot and tract number; (3378-2/98)
3. Nature of the sex oriented business, including maximum height and square footage of the proposed development; (3378-2/98)
4. The City Hall telephone number for the Department of Community Development to call for viewing plans; (3378-2/98)

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IG AND IL Districts: Additional Provisions (continued)

5. The date by which any comments must be received in writing by the Department of Community Development. This date shall be ten (10) working days from staff review submittal; and (3378-2/98)
6. The address of the Department of Community Development. (3378-2/98)
- F. A sex oriented business may not apply for a variance pursuant to Chapter 241 nor a special sign permit pursuant to Chapter 233. (3378-2/98)
- G. A sex oriented business zoning permit shall become null and void one year after its date of approval unless: (3378-2/98)
 1. Construction has commenced or a Certificate of Occupancy has been issued, whichever comes first; or (3378-2/98)
 2. The use is established. (3378-2/98)
- H. The validity of a sex oriented business zoning permit shall not be affected by changes in ownership or proprietorship provided that the new owner or proprietor promptly notifies the Director of the transfer. (3378-2/98)
- I. A sex oriented business zoning permit shall lapse if the exercise of rights granted by it is discontinued for 12 consecutive months. (3378-2/98)
- L-12 For wireless communication facilities see section 230.96 Wireless Communication Facilities. All other communication facilities permitted. (3568-9/02)
- (A) Repealed. (3254-10/94, 3708-6/05)
- (B) A conditional use permit from the Zoning Administrator is required for any new use or enlargement of an existing use, or exterior alterations and additions for an existing use located within 150 feet of an R district. The Director may waive this requirement if there is no substantial change in the character of the use which would affect adjacent residential property in an R District. (3254-10/94)
- (C) Accessory office uses incidental to a primary industrial use are limited to 10 percent of the floor area of the primary industrial use. (3254-10/94)
- (D) Adjunct office and commercial space, not to exceed 25 percent of the floor area of the primary industrial use, is allowed with a conditional use permit from the Zoning Administrator, provided that it is intended primarily to serve employees of the industrial use, no exterior signs advertise the adjunct use, the adjunct use is physically separated from the primary industrial use, any retail sales are limited to goods manufactured on-site, and the primary industrial fronts on an arterial. (3254-10/94)
- (E) See Section 241.22: Temporary Use Permits. (3254-10/94)
- (F) See Chapter 236: Nonconforming Uses and Structures. (3254-10/94)

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions (continued)

- (H) Medical/dental offices, insurance brokerage offices, and real estate brokerage offices, except for on-site leasing offices, are not permitted in any I District. (3254-10/94)
- Administrative, management, regional or headquarters offices for any permitted industrial use, which are not intended to serve the public, require a conditional use permit from the Zoning Administrator to occupy more than 10 percent of the total amount of space on the site of the industrial use. (3254-10/94)
- (I) Automobile dismantling, storage and/or impound yards may be permitted subject to the approval of a conditional use permit by the Planning Commission and the following criteria: (3254-10/94)
- (a) The site shall not be located within 660 feet of an R district. (3254-10/94)
 - (b) All special metal cutting and compacting equipment shall be completely screened from view. (3254-10/94)
 - (c) Storage yards shall be enclosed by a solid 6-inch concrete block or masonry wall not less than 6 feet in height and set back a minimum 10 feet from abutting streets with the entire setback area permanently landscaped and maintained. (3254-10/94)
 - (d) Items stacked in the storage yard shall not exceed the height of the screening walls or be visible from adjacent public streets. (3254-10/94)
- (J) Limited to facilities serving workers employed on-site. (3254-10/94)
- (K) Limited to: Single Room Occupancy uses (See Section 230.46). (3254-10/94, 3708-6/05)
- (L) Limited to Emergency Shelters. (3254-10/94)
- (M) Development of vacant land and/or additions of 10,000 square feet or more in floor area; or additions equal to or greater than 50% of the existing building's floor area; or additions to buildings on sites located within 300 feet of a residential zone or use for a permitted use requires approval of a conditional use permit from the Zoning Administrator. The Planning Director may refer any proposed addition to the Zoning Administrator if the proposed addition has the potential to impact residents or tenants in the vicinity (e.g., increased noise, traffic). (3254-10/94, 3523-2/02)
- (N) Major outdoor operations require conditional use permit approval by the Planning Commission. Major outside operations include storage yards and uses utilizing more than 1/3 of the site for outdoor operation. (3254-10/94)
- (O) See Section 230.40: Helicopter Takeoff and Landing Areas. (3254-10/94)
- (P) See Section 230.44: Recycling Operations. (3254-10/94)
- (Q) See Section 230.50: Indoor Swap Meets/Flea Markets (3254-10/94)
- (R) See L-11(A) relating to locational restrictions. (3254-10/94, 3378-2/98)

LEGISLATIVE DRAFT

IG AND IL Districts: Additional Provisions (continued)

- (S) Non-amplified live entertainment greater than 300 feet from a residential zone or use shall be permitted without a conditional use permit. (3523-2/02)
- (T) Subject to approval by the Police Department, Public Works Department, and Fire Department and the Planning Director. (3523-2/02)
- (U) Neighborhood notification requirements when no entitlement required pursuant to Chapter 241. (3523-2/02, 3708-6/05)

212.06 IG AND IL Districts: Development Standards

The following schedule prescribes development standards for the I Districts. The first two columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Requirements" column reference requirements following the schedule or located elsewhere in this ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions. (3254-10/94)

| | IG | IL | Additional Requirements |
|------------------------------------|-----------|-----------|--------------------------------|
| Residential Development | | | (M) |
| Nonresidential Development | | | |
| Minimum Lot Area (sq. ft.) | 20,000 | 20,000 | (A)(B) (3708-06/05) |
| Minimum Lot Width (ft.) | 100 | 100 | (A)(B) |
| Minimum Setbacks | | | (A)(C) |
| Front (ft.) | 10;20 | 10;20 | (D) |
| Side (ft.) | 0 | 15 | (E)(F) (3708-06/05) |
| Street Side (ft.) | 10 | 10 | |
| Rear (ft.) | 0 | 0 | (E) (3708-06/05) |
| Maximum Height of Structures (ft.) | 40 | 40 | (G) |
| Maximum Floor Area Ratio (FAR) | 0.75 | 0.75 | |
| Minimum Site Landscaping (%) | 8 | 8 | (H)(I) |

| | IG | IL | Additional Requirements |
|-----------------------------------|--------------------|-----------|--------------------------------|
| Fences and Walls | See Section 230.88 | | |
| Off-Street Parking and Loading | See Chapter 231 | | (J) |
| Outdoor Facilities | See Section 230.74 | | |
| Screening of Mechanical Equipment | See Section 230.76 | | (K) |
| Refuse Storage Area | See Section 230.78 | | |
| Underground Utilities | See Chapter 17.64 | | |
| Performance Standards | See Section 230.82 | | (L) |
| Nonconforming Uses and Structures | See Chapter 236 | | |
| Signs | See Chapter 233 | | |

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IG AND IL Districts: Additional Development Standards

- (A) See Section 230.62: Building Site Required and Section 230.64: Development on Substandard Lots. (3254-10/94)
- (B) Smaller lot dimensions for new parcels may be permitted by the Zoning Administrator with an approved development plan and tentative subdivision map. (3254-10/94)
- (C) See Section 230.68: Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage. (3254-10/94)
- (D) The minimum front setback shall 10 feet and the average setback 20 feet, except for parcels fronting on local streets where only a 10 foot setback is required. (3254-10/94)

All I Districts: An additional setback is required for buildings exceeding 25 feet in height (1 foot for each foot of height) and for buildings exceeding 150 feet in length (1 foot for each 10 feet of building length) up to a maximum setback of 30 feet. (3254-10/94)

- (E) In all I districts, a 15-foot setback is required abutting an R district and no openings in buildings within 45 feet of an R district. (3254-10/94)
- (F) A zero-side yard setback may be permitted in the I districts, but not abutting an R district, provided that a solid wall at the property line is constructed of maintenance-free masonry material and the opposite side yard is a minimum of 30 feet. (3254-10/94)

Exception. The Zoning Administrator or Planning Commission may approve a conditional use permit to allow a 15-foot interior side yards opposite a zero-side yard on one lot, if an abutting side yard at least 15 feet wide is provided and access easements are recorded ensuring a minimum 30-foot separation between buildings. This 30-foot accessway must be maintained free of obstructions and open to the sky, and no opening for truck loading or unloading shall be permitted in the building face fronting on the accessway unless a 45-foot long striped areas is provided solely for loading and unloading entirely within the building. (3254-10/94)

- (G) See Section 230.70: Measurement of Height. Within 45 feet of an R district, no building or structure shall exceed a height of 18 feet. (3254-10/94)
- (H) Planting Areas. Required front and street-side yards adjacent to a public right-of-way shall be planting areas except for necessary drives and walks. A 6-foot wide planting area shall be provided adjacent to an R district and contain one tree for each 25 lineal feet of planting area. (3254-10/94)
- (I) See Chapter 232: Landscape Improvements. (3254-10/94)
- (J) Truck or rail loading, dock facilities, and the doors for such facilities shall not be visible from or be located within 45 feet of an R district. (3254-10/94)
- (K) See Section 230.80: Antennae. (3254-10/94)
- (L) Noise. No new use shall be permitted, or exterior alterations and/or additions to an existing use allowed, within 150 feet of an R district until a report prepared by a California state-licensed acoustical engineer is approved by the Director. This report shall include recommended noise mitigation measures for the industrial use to ensure that noise levels will conform with Chapter

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8.40 of the Municipal Code. The Director may waive this requirement for change of use or addition or exterior alteration to an existing use if it can be established that there had been no previous noise offense, that no outside activities will take place, or if adequate noise mitigation measures for the development are provided. (3254-10/94)

- (M) Group residential or accessory residential uses shall be subject to standards for minimum setbacks and height of the RH District. (3254-10/94)

212.08 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the Planning Department for review. Discretionary review shall be required as follows: (3254-10/94, 3708-6/05)

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects including a zero-side yard exception; projects on substandard lots. (3254-10/94)
- B. Design Review Board. ~~Projects within redevelopment project areas and areas within 500 feet of a PS district;~~ See Chapter 244. (3254-10/94)
- C. Planning Commission. Projects requiring a conditional use permit from the Commission. (3254-10/94)
- D. Projects in the Coastal Zone. A Coastal Development Permit is required unless the project is exempt; see Chapter 245. (3254-10/94)

LEGISLATIVE DRAFT

Chapter 213 OS Open Space District

(3334-6/97, 3568-9/02)

Sections:

| | |
|--------|------------------------------------|
| 213.02 | Open Space District Established |
| 213.04 | Applicability |
| 213.06 | OS District: Land Use Controls |
| 213.08 | OS District: Development Standards |
| 213.10 | Review of Plans |

213.02 Open Space District Established

An Open Space District is established by this Chapter. This district provides areas for public or private use and areas for preservation and enhancement. Three subdistricts have been identified.

(3334-6/97)

Subdistricts of the OS District include:

- A. OS-PR Open Space - Parks and Recreation Subdistrict.
- B. OS-S Open Space - Shoreline.
- C. OS-WR Open Space - Water Recreation Subdistrict. (3334-6/97)

213.04 Applicability

The OS district shall be the base district for the use classifications listed in Section 213.06 where these classifications have a minimum contiguous site area of 2 acres, including alleys, streets or other rights-of-way. Open-space use classifications on sites of less than 2 acres shall be subject to the provisions of the base and overlay districts in which they are located.

213.06 OS District: Land Use Controls

In the following schedule, letter designations are used as follows:

"P" designates use classifications permitted in the OS district.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" which follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

"TU" designate use classifications permitted on approval of a temporary use permit.

"P/U" for an accessory use means that the use is permitted on the site of a permitted use, but requires a use permit on the site of a conditional use.

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the Zoning Ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

| OS DISTRICT | P | = | Permitted | |
|---|-------|------|--|-----------------------|
| LAND USE CONTROLS | L | = | Limited (see Additional Provisions) | |
| | PC | = | Conditional use permit approved by Planning Commission | |
| | ZA | = | Conditional use permit approved by Zoning Administrator | |
| | TU | = | Temporary Use Permit | |
| | P/U | = | Requires conditional use permit on site of conditional use | |
| | = | | Not Permitted | |
| | OS-PR | OS-S | OS-WR | Additional Provisions |
| Public and Semipublic | | | | (F) |
| Marinas | - | - | PC | |
| Park & Recreation Facilities | PC | PC | - | |
| Public Safety Facilities | - | PC | - | |
| Utilities, Major | - | - | - | |
| Utilities, Minor | ZA | - | ZA | |
| Commercial Uses | | | | (F) |
| Animal Sales and Services | | | | |
| Equestrian Centers | PC | - | - | (E) |
| Commercial Recreation and Entertainment | PC | - | - | |
| Communication Facilities | L-4 | | | (3568-9/02) |
| Eating & Drinking Establishments | L1 | L1 | - | |
| With Take-Out Service, Limited | L1 | L3 | - | |
| Vehicle/Equipment Sales and Services | | | - | |
| Commercial Parking Facility | L2 | L2 | - | |
| Accessory Uses | | | | (A)(D) |
| Accessory Uses and Structures | P/U | P/U | P/U | |
| Temporary Uses | | | | (B) |
| Animal Shows | TU | - | - | |
| Circuses and Carnivals | TU | - | - | |
| Commercial Filming | TU | TU | TU | |
| Nonconforming Uses | | | | (C) |
| (3334-6/97) | | | | |

OS District: Additional Provisions

- L1 Allowed with a conditional use permit approval by the Zoning Administrator only as an ancillary use that is compatible with and part of a park or recreational facility. Only in the coastal zone overlay district, in public parks in both the Parks and Recreation and the Shoreline Subdistricts, only the following type of eating and drinking establishment shall be permitted: (3334-6/97)
- (a) Take-out service establishments where patrons order and pay for their food at a counter or window before it is consumed and may either pick up or be served such food at a table or take it off-site for consumption; and persons are not served in vehicles. (3334-6/97)
- L2 Public parking is permitted, but commercial parking facilities on City-owned land require a conditional use permit approval by the Planning Commission. Recreational vehicle overnight parking is limited to 10 percent of available public parking. No encroachment onto sandy beach area shall be permitted. (3334-6/97)
- L3 Beach concession stands for sale of refreshments and sundries (not to exceed 2,500 square feet) must be located a minimum 1,000 feet apart. Beach concession structures shall be located within or immediately adjacent to paved parking or access areas. (3334-6/97)
- L-4 Only wireless communication facilities permitted subject to Section 230.96 Wireless Communication Facilities. (3568-9/02)
- (A) Limited to facilities incidental to an open space use.
- (B) See Section 241.22: Temporary Use Permits.
- (C) See Chapter 236: Nonconforming Uses and Structures.
- (D) Private cantilevered decks abutting residential uses; private boat ramps, slips, docks, windscreen and boat hoists in conjunction with adjacent single family dwellings. See Residential Districts and Chapter 17.24.
- (E) See Section 230.48: Equestrian Centers.
- (F) The permitted uses for recreation areas on the Huntington Beach mesa shall be limited to low-intensity uses including picnic grounds, arboretums, bird sanctuaries, trails. High-intensity uses such as tennis courts, athletic fields, stables, campgrounds or other commercial or recreation uses shall be conditional only, and shall be located in nodes adjacent to existing developed areas or roads and shall avoid adverse impacts on environmentally sensitive habitats. (3334-6/97)
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213.08 OS District: Development Standards

The following schedule prescribes development standards for the OS-PR, OS-S and OS-WR subdistricts. The first three columns prescribe basic requirements for permitted and conditional uses in each subdistrict. Letters in parentheses in the "Additional Requirements" column refer to standards following the schedule or located elsewhere in the zoning ordinance. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203, Definitions. (3334-6/97)

OS-PR, OS-S and OS-WR DISTRICTS DEVELOPMENT STANDARDS

| | OS-PR | OS-S | OS-WR | Additional Requirements |
|------------------------------------|--------------------|------|-------|----------------------------|
| Nonresidential Development | | | | |
| Minimum Lot Area (sq. ft.) | 5 ac | - | - | |
| Minimum Lot Width (ft.) | 100 | - | - | |
| Minimum Setbacks | | | | |
| Front (ft.) - | 25 | 50 | - | |
| Side (ft.) - | 25 | - | - | |
| Street Side (ft.) | - | 25 | - | |
| Rear (ft.) - | 25 | 20 | - | |
| Maximum Height of Structures (ft.) | 45 | 20 | - | (A)(E) |
| Maximum Lot Coverage (%) | 25 | - | - | |
| Minimum Site Landscaping | See Chapter 232 | | | (B)(F) |
| Building Design | | | | (A)(C) |
| Fences and Walls | See Section 230.88 | | | |
| Off-Street Parking/Loading | See Chapter 231 | | | |
| Outdoor Facilities | See Section 230.74 | | | |
| Screening of Mechanical Equipment | See Section 230.76 | | | |
| Refuse Storage Areas | See Section 230.78 | | | |
| Underground Utilities | See Chapter 17.64 | | | (D) |
| Performance Standards | See Section 230.82 | | | |
| Nonconforming Structures | See Chapter 236 | | | |
| Signs | See Chapter 233 | | | |

(3334-6/97)

OS District: Additional Development Standards

(A) All development shall be compatible with the established physical scale of the area and shall not encroach on major view corridors. Public visual resources within the coastal zone shall be preserved and enhanced. Maximum height limit for development within the coastal zone in the Open Space Recreation Subdistrict shall be 35 feet. (3334-6/97)

- (B) To the extent feasible, mature trees, shall be protected. Development shall assure maximum protection of native vegetation and sensitive wildlife habitats. (3334-6/97)
 - (C) All buildings and structures shall be sited and designed to assure stability and structural integrity for their expected economic life span and to minimize alterations to natural landforms.
 - (D) Underground utilities shall be provided unless underground installation would have a substantial adverse impact on the environment.
 - (E) Facilities necessary for public safety may exceed maximum height.
 - (F) All setback areas along street frontages in OS-PR shall be fully landscaped.
-

213.10 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the ~~Community Development~~**Planning** Department for review. Discretionary review shall be required as follows:

- A. Zoning Administrator Review. Projects requiring a conditional use permit from the Zoning Administrator; projects on substandard lots.
- B. Design Review Board. ~~Projects within redevelopment project areas, OS-PR and OS-S districts and areas within 500 feet of a PS district; s~~See Chapter 244.
- C. Planning Commission. Projects requiring a conditional use permit from the Commission.
- D. Projects in the Coastal Zone. A Coastal Development ~~p~~**P**ermit is required unless the project is exempt; see Chapter 245.

LEGISLATIVE DRAFT

Chapter 214 PS Public-Semipublic District

(3334-6/97, 3524-2/02, 3553-5/02, 3568-9/02, 3673-12/04)

Sections:

| | |
|--------|--|
| 214.02 | Public-Semipublic District Established |
| 214.04 | Applicability |
| 214.06 | PS District: Land Use Controls |
| 214.08 | PS District: Development Standards |
| 214.10 | Review of Plans |

214.02 Public-Semipublic District Established

The PS Public-Semipublic District is established by this chapter. This district provides areas for large public or semipublic uses. The intent of this district in the coastal zone is to implement the Public, Quasi-Public, and Institutional land use designation of the certified Local Coastal Program Land Use Plan. (3334-6/97)

214.04 Applicability

The PS District shall be the base district for the use classifications listed in Section 214.06 where these have a contiguous site area of 2 acres or more, including alleys, streets, or other rights-of-way. This requirement does not apply to Public-Semipublic use classifications in commercial districts. Public-semipublic use classifications on sites of less than 2 acres shall be subject to the provisions of the base and overlay districts in which they are located. (3553-5/02)

214.06 PS District: Land Use Controls

In the following schedule, letter designations are used as follows:

"P" designates use classifications permitted in PS districts.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" which follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"TU" designates use classifications allowed on approval of a temporary use permit.

"P/U" for an accessory use mean that the use is permitted on the site of a permitted use but requires a conditional use permit on the site of a conditional use.

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the zoning ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

| | | | |
|--------------------------|-----|---|--|
| PS DISTRICT: | P | = | Permitted |
| LAND USE CONTROLS | L | = | Limited (see <u>Additional Provisions</u>) |
| | PC | = | Conditional use permit approved by Planning Commission |
| | TU | = | Temporary Use Permit |
| | P/U | = | Requires conditional use permit on site of a conditional use |

| | PS | Additional Provisions |
|--------------------------------------|-----------|------------------------------|
| <hr/> | | |
| Public and Semipublic | | |
| Cemetery | PC | |
| Cultural Institutions | PC | |
| Day Care, General | PC | |
| Government Offices | L-1 | |
| Hospitals | PC | |
| Maintenance & Service Facilities | L-1 | |
| Park & Recreation Facilities | PC | |
| Public Safety Facilities | PC | |
| Religious Assembly | ZA | (3524-2/02) |
| Residential Care, General | PC | |
| Schools, Public or Private | PC | |
| Utilities, Major | PC | |
| Utilities, Minor | P | |
| Commercial Uses | | |
| Commercial Parking Facility | L-3 | |
| Communication Facilities | L-4 | (3568-9/02) |
| Eating and Drinking Establishments | L-2 | |
| Vehicle/Equipment Sales and Services | L-1 | |
| Accessory Uses | | |
| Accessory Uses and Structures | P/U | |
| Temporary Uses | | (A) |
| Animal Shows | TU | |
| Circuses and Carnivals | TU | |
| Commercial Filming, Limited | TU | |
| Trade Fairs | P | (3673-12/04) |
| Nonconforming Uses | | (B) |

PS District: Additional Provisions

- L-1 City-owned facilities are permitted; all other facilities require a conditional use permit from the Zoning Administrator. (3673-12/04)
 - L-2 Permitted as an accessory use in a cultural, educational, hospital, or medical institution occupying no more than 5,000 square feet, only if there is no separate entrance or sign.
 - L-3 Public parking permitted, but commercial parking facilities on City-owned land require a conditional use permit from the Zoning Administrator. (3673-12/04)
 - L-4 Only wireless communication facilities permitted subject to Section 230.96 Wireless Communication Facilities. (3568-9/02)
 - (A) See Section 241.20: Temporary Use Permits.
 - (B) See Chapter 236: Nonconforming Uses and Structures.
-

214.08 PS District: Development Standards

The following schedule prescribes development standards for the PS district. The first column prescribes basic requirements for permitted and conditional uses in the district. Letters in parentheses in the "Additional Requirements" column refer to standards following the schedule or located elsewhere in the zoning ordinance. In calculating the maximum gross floor area as defined in Chapter 203, the floor area ratio is calculated on the basis of net site area. Fractional numbers shall be rounded down to the nearest whole number. All required setbacks shall be measured from ultimate right-of-way and in accordance with definitions set forth in Chapter 203 Definitions.

(Rest of page not used)

**PS DISTRICT
DEVELOPMENT STANDARDS**

| | PS | Additional Requirements |
|------------------------------------|--------------------|-------------------------|
| Nonresidential Development | | (A) |
| Minimum Lot Area | 2 ac | |
| Minimum Lot Width (ft.) | 100 | |
| Minimum Setbacks | | |
| Front (ft.) | 10 | (B)(C)(M) |
| Side (ft.) | 0 | (D) (3673-12/04) |
| Street Side (ft.) | 10 | (C) |
| Rear (ft.) | 0 | (D) (3673-12/04) |
| Maximum Height of Structures (ft.) | 50 | (D)(E)(N) (3334-6/97) |
| Maximum Floor Area Ratio (FAR) | 1.5 | |
| Minimum Site Landscaping (%) | 8 | (F)(G) |
| Building Design Standards | | (L)(M) |
| Fences and Walls | | (H)(I) |
| Off-Street Parking/Loading | | (J) |
| Outdoor Facilities | See Section 230.74 | (K) |
| Screening of Mechanical Equipment | See Section 230.76 | (K) |
| Refuse Storage Areas | See Section 230.78 | |
| Underground Utilities | See Chapter 17.64 | |
| Performance Standards | See Section 230.82 | |
| Nonconforming Structures | See Chapter 236 | |
| Signs | See Chapter 233 | |

PS District: Additional Development Standards

- (A) See Section 230.62: Building Site Required.
- (B) See Section 230.68: Building Projections into Yards and Required Open Space. Double-frontage lots shall provide front yards on each frontage.
- (C) A minimum 50-foot setback is required along Beach Boulevard, Edinger Avenue, and Pacific Coast Highway or 25 foot setback with the setback area entirely landscaped.
- (D) Along a side or rear property line abutting an R district, a 10-foot setback is required, and structures within 45 feet of the district boundary shall not exceed 18 feet in height.
- (E) See Section 230.70: Measurement of Height and Section 230.72: Exceptions to Height Limits.

(F) Planting Areas:

- (1) Required side and rear yards shall be planting areas or shall be enclosed by a solid concrete or masonry wall at least 6 feet in height.
- (2) A 10-foot wide landscaped strip shall be provided along all street frontages, except for necessary driveways and walks.

(G) See Chapter 232: Landscape Improvements.

(H) See Section 230.88: Fencing and Yards.

(I) A solid masonry or concrete wall at least 6 feet in height shall adjoin the site of an existing ground-floor residential use. However, where the portion of the site within 10 feet of the front property line is occupied by planting area or by a building having no openings except openings opposite a street property line, the Director may grant an exception to this requirement. A wall within 15 feet of a street property line shall not exceed 3.5 feet in height.

(J) See Chapter 231: Off-Street Parking and Loading.

(K) See Section 230.44 Recycling Operations and Section 230.80: Antennae

(L) A front or street side wall surface shall be no longer than 100 feet without a break, a recess or offset measuring at least 20 feet in depth and one-quarter of the building length, or a series of offsets, projections or recesses, at intervals of not more than 40 feet that vary the depth of the building wall by a minimum of 4 feet. The Director may grant exceptions or allow these standards to be modified for exceptional or unique structures subject to Design Review, Chapter 244.

(M) On frontages adjacent to major or primary arterials at least 40 percent of a building surface may be located at the minimum setback line if additional landscaping is provided on the site.

(N) In the coastal zone, the maximum allowable height of structures shall be reduced as necessary to retain compatibility with the established physical scale of the area and to preserve and enhance public visual resources. (3334-6/97)

214.10 Review of Plans

All applications for new construction and exterior alterations and additions shall be submitted to the **Planning** Department for review. Discretionary review shall be required for projects requiring conditional use permits. Design Review shall be required for all projects except temporary uses **pursuant to Chapter 244**. A Coastal Development Permit is required for projects in the Coastal Zone unless the project is exempt (see Chapter 245).

LEGISLATIVE DRAFT

Chapter 233 Signs

(3334-6/97, 3360-12/97, 3527-2/02, 3711-06/05, 3826-4/09)

Sections:

| | |
|--------|------------------------------------|
| 233.02 | Reserved |
| 233.04 | Permits Required |
| 233.06 | Permitted Signs |
| 233.08 | Exempt Signs |
| 233.10 | Prohibited Signs |
| 233.12 | Electronic Readerboards |
| 233.14 | Readerboard Signs-Multiple Users |
| 233.16 | Subdivisional Directional Signs |
| 233.18 | Promotional Activity Signs |
| 233.20 | Planned Sign Program |
| 233.22 | Miscellaneous Signs and Provisions |
| 233.24 | Nonconforming Signs |
| 233.26 | Code Compliance |
| 233.28 | Definitions |

233.02 Reserved

233.04 Permits Required

Sign permits are required for all signs, unless expressly exempted under Section 233.08 or otherwise provided by this Code. A building permit application for a new sign or change in sign panel/face shall be approved by the Planning Department prior to installation and issuance of a building permit by the Building and Safety Department. (3360-12/97, 3527-2/02, 3826-4/09)

A. Sign Permit. A complete sign application shall include the following information:
(3334-6/97)

1. Two sets of fully-dimensioned plans drawn to scale. The plans shall include the following: (3334-6/97, 3360-12/97)
 - a. Site plan indicating the location of all proposed signs, as well as the size and location of existing signs on the site. Photographs should be submitted if available. (3334-6/97, 3360-12/97)
 - b. Sign elevations, indicating overall square footage and letter/figure dimensions, letter style, color (indicate standard color number if applicable), materials, proposed copy and illumination method.
(3334- 6/97)
 - c. Dimensioned building elevations with existing and proposed signs depicted. (3334-6/97, 3360-12/97)
2. Property owner approval in the form of a letter or signature on the plans, approving the proposed signs and authorizing submission of the sign application. (3334-6/97, 3360-12/97)

3. For wall signs, method of attachment; for freestanding signs, foundation plan, sign support and attachment plan. (3334-6/97)
 4. Type and method of electrical insulation devices, where applicable. (3334-6/97)
 5. Any design modification from the requirements of this chapter that have been approved shall be noted, and compliance with the Planned Sign Program, limited sign permit, or sign code exception shall be demonstrated. (3334-6/97, 3360-12/97, 3826-4/09)
- B. Planned Sign Program. Review and approval of a Planned Sign Program pursuant to Section 233.20 is required for a sign permit for the following requests: (3334-6/97, 3826-4/09)
1. A site with five or more non-residential businesses or uses. (3334-6/97, 3360-12/97)
 2. A site with two or more freestanding identification signs where there is a request for a new freestanding sign. (3334-6/97, 3360-12/97)
 3. Commercial properties with 1,300 feet or more on one street frontage requesting more freestanding signs than allowed pursuant to Section 233.06. (3360-12/97)
 4. Consolidated subdivision directional signs identifying multiple projects on multiple sign panels. (3360-12/97)
 5. Service stations. (3334-6/97)
 6. Wall signs for second floor businesses with exterior access. (3360-12/97)
 7. Wall signs installed on a building wall not adjacent to the business suite. (3360-12/97)
- C. Sign Code Exception: The Director may grant approval for a sign code exception of not more than 20% in sign height or sign area. Ten (10) working days prior to submittal for a building permit, applicant shall notice adjacent property owners and tenants by first class mail. Notice of application shall include the following: (3527-2/02, 3711-6/05)
1. Name of applicant. (3527-2/02)
 2. Location of planned development or use, including address. (3527-2/02)
 3. Nature of the proposed development shall be fully disclosed in the notice. (3527-2/02)
 4. Planning Department phone number and address of City Hall shall be provided in the notice to call for viewing plans. (3527-2/02)
 5. The date by which any comments must be received in writing by the Planning Department. (3527-2/02)
 6. Planning Director shall receive entire list including name and address of those receiving the mailing. (3527-2/02)

The Design Review Board shall review and render a recommendation to the Director for sign code exception requests of more than 20% in sign height or sign area supergraphics, three-dimensional signs, and relief from the strict application of

Section 233.06. Neighborhood Notification required pursuant to Chapter 241. The following findings shall be made prior to approval of any sign code exception: (3334-6/97, 3360-12/97, 3527-2/02, 3711-06/05)

1. The sign is compatible with the character of the area and is needed due to special circumstances defined by the applicant and applicable to the property. (3334-6/97, 3360-12/97)
2. The sign will not adversely affect other signs in the area. (3334-6/97)
3. The sign will not be detrimental to properties located in the vicinity. (3334-6/97)
4. The sign will not obstruct vehicular or pedestrian traffic visibility and will not be a hazardous distraction. (3334-6/97)

- D. Limited Sign Permit: The owner of a sign which does not conform to the provisions of Section 233.06 may file an application for a limited sign permit to the Director for permission to change the face or copy of such sign. A limited sign permit cannot be processed for an Illegal Sign or a Prohibited Sign listed in Section 233.10. The Director may approve the face change and extend a sign's use for a time period deemed appropriate, not to exceed two (2) years. A sign permit shall be obtained pursuant to Section 233.04(A) prior to installation of the new sign panel/face. (3334-6/97, 3360-12/97, 3826-4/09)

A cash bond in an amount determined by the Director to reflect the cost of removal based on information provided by a sign company shall be required to guarantee the sign's removal upon expiration of the limited sign permit. Approval shall be subject to the following findings: (3334-6/97)

1. Due to unique circumstances, the sign's immediate removal will result in a substantial hardship for the applicant. (3334-6/97)
2. The sign will not adversely affect other lawfully erected signs in the area. (3334-6/97)
3. The sign will not be detrimental to properties located in the vicinity. (3334-6/97)
4. The sign will be in keeping with the character of the surrounding area. (3334-6/97)
5. The sign will not obstruct vehicular or pedestrian traffic visibility and will not be a hazardous distraction. (3334-6/97)

- E. Design Review Board. The Design Review Board (DRB) shall review and render a recommendation to the appropriate decision maker (Zoning Administrator, Director, Planning Commission, etc.) on the following items prior to issuance of a permit by the Planning and/or Building & Safety Departments for the following: (3360-12/97, 3527-2/02, 3826-4/09)

1. Electronic Readerboard Signs. (3360-12/97, 3527-2/02)
2. Signs on properties within the following areas: (3360-12/97, 3527-2/02)
 - a. ~~Redevelopment Agency project areas;~~ (3360-12/97, 3527-2/02, 3826-4/09)

- ~~ba.~~ Areas subject to specific plans which do not include specific guidelines for signs; (3360-12/97, 3527-2/02, 3826-4/09)
- ~~eb.~~ OS-PR (Open Space-Parks and Recreation) and OS-S (Open Space-Shoreline districts); and (3360-12/97, 3711-06/05)
- ~~ec.~~ Any other area designated by the City Council. (3360-12/97, 3711-06/05, 3826-4/09)

3. DRB review or approval shall not be required for signs in ` Redevelopment Agency project areas.

- F. Temporary Sign Permits. The Director may issue a temporary sign permit valid for up to 30 days, if it is found that the temporary sign is necessary to establish or maintain identity until a permanent sign can be erected. Extensions of the 30 day permit may be granted at the discretion of the Director. The Director may also approve a temporary sign permit for the following temporary signs provided the signs conform with the standards defined in Section 233.06: (3334-6/97, 3360-12/97)
 - 1. Signs necessary to avoid a dangerous condition, including directional signs during construction. (3360-12/97)
 - 2. Signs pertaining to a use permitted by a temporary use permit. (3360-12/97)
 - 3. Promotional activity signs that comply with Section 233.18 are permitted up to a maximum of 90 days per calendar year. (3360-12/97, 3826-4/09)

233.06 Permitted Signs

All signs shall be governed by the following schedule, except if addressed elsewhere in this chapter. The schedule lists maximum standards for number, area, and height of allowed signs which does not necessarily ensure architectural compatibility. Therefore, in addition to the enumerated standards, consideration shall be given to building setbacks, visibility of attached signing on the site, and the proposed sign's relationship to the overall appearance of the property, to the surrounding neighborhood, and to community goals. Compatible design, simplicity, sign effectiveness and adherence to the objectives and policies in the Urban Design Element of the General Plan shall be used as guidelines for sign approval. Nothing in this chapter shall preclude public access signage. (3334-6/97, 3360-12/97)

The City may, in addition, from time to time adopt policies regarding sign standards. Such policies may include separate standards or provisions for specific areas of the community. (3334-6/97, 3826-4/09)

ATTACHMENT NO. 3.65

A. COMMERCIAL DISTRICTS

1. FREESTANDING SIGNS ON ADAMS AVE., BEACH BLVD., BROOKHURST ST., EDINGER AVE., GOLDENWEST ST. AND WARNER AVE.

| | LOT FRONTAGE | MAXIMUM NUMBER OF SIGNS | MAXIMUM SIGN HEIGHT | MAXIMUM SIGN AREA |
|----|--|--|---|--|
| a. | Interior lots with less than 200 feet of street frontage | One | 10 ft. +5 ft. for Bonus | 50 sq. ft. +25 sq.ft. for Bonus |
| b. | Interior lots with min. 200 feet but less than 400 feet | One | 15 ft. +5 ft. for Bonus | 70 sq. ft. +30 sq.ft. for Bonus |
| c. | Corner lots with the greatest street frontage less than 400 feet | One per street frontage | 7 ft. +3 ft. for Bonus | 30 sq. ft. +15 sq.ft. for Bonus |
| d. | Interior lots with min. 400 feet of frontage AND Corner lots with min. 400 feet on one street frontage | One primary (P) and two secondary (S) signs per street | 20 ft. (P) +5 ft. for (P) Bonus 7 ft. (S) | 100 sq. ft. (P) +25 sq. ft. (P) Bonus 30 sq. ft. (S) |
| e. | Regional Mall Identification Sign | One per street frontage | 25 ft. | 100 sq. ft. |
| | | One freeway sign | 25 ft. above freeway | 200 sq. ft. |

2. FREESTANDING SIGNS ON ALL OTHER ARTERIALS NOT LISTED ABOVE

| | LOT FRONTAGE | MAXIMUM NUMBER OF SIGNS | MAXIMUM SIGN HEIGHT | MAXIMUM SIGN AREA |
|----|--|--|---|--|
| a. | Interior lots with less than 400 feet of street frontage | One | 7 ft. +1 ft. for Bonus | 50 sq. ft. +10 sq. ft. for Bonus |
| b. | Corner lots with the greatest street frontage less than 400 feet | One per street | 7 ft. +1 ft. for Bonus | 30 sq. ft. +10 sq. ft. for Bonus |
| c. | Interior lots with min. 400 feet of frontage AND Corner lots with min. 400 feet on one street frontage | One primary (P) and two secondary (S) signs per street | 15 ft. (P) +0.5 ft. for Bonus 7 ft. (S) | 70 sq. ft. (P) + 10 ft. for Bonus 30 sq. ft. (S) |

1. Bonus signs (B) shall have an opaque background, internal illumination for items of information only.
2. Multi-tenant panels are permitted provided the panels are minimum 10 inches in height, with a minimum 6 inch letter height. They shall be restricted to one uniform background color and two colors for the sign copy, with the exception that the Center Identification may have a separate background color. Sign copies shall be limited to the company name or one generic item of information. Major tenant identification shall be encouraged by being placed on the largest panel.
3. Secondary signs (S) are in addition to the Primary (P) sign. Secondary sign copy shall be limited to business identification only.
4. Street addresses shall be included on all freestanding signs with minimum six (6) inch numerals.

OTHER LOCATIONAL CRITERIA FOR FREESTANDING COMMERCIAL SIGNS

1. No business shall have more than one freestanding sign facing each frontage.
2. Freestanding signs on the same site shall be located a minimum of 150 feet apart unless approved by a planned sign program.
3. A freestanding sign shall not be permitted in an area between the building and right-of-way when that portion of the building is located at the minimum setback.
4. Signs shall be located in a landscape planter a minimum of 2 feet wider than the sign itself. Square poles or other architectural treatment shall be required, except if the sign is 8 feet or less in height, it shall be of monument type, with a minimum 2 foot base. Placement shall conform with Diagram A.
5. No freestanding sign shall be located along a local street.

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ATTACHMENT NO. 3-66

A. COMMERCIAL DISTRICTS (CONTINUED)

3. WALL SIGNS

| SITE CRITERIA | TYPE | MAXIMUM NUMBER | MAXIMUM SIGN AREA | OTHER STANDARDS |
|---|--------------|--|---|--|
| <u>Individual Business Identification</u> | wall | One per street or parking lot frontage for each separate business on the ground floor Signs for second floor businesses with exterior access may be permitted by Planned Sign Program | 1.5 sq. ft per linear ft. of business frontage. <u>Business <50,000 sq. ft. Max. total= 200 sq.ft.*</u> <u>Business 50,000+ sq. ft. No Max.*</u> * No sign shall exceed 200 sq. ft. or 1.5 sq. ft. per linear ft. of the wall upon which it is placed. <u>Channel letter signs: 15% bonus after above calculation.</u> | 1. Channel letter signs required on all sites consisting of 5 or more uses. 2. Signs over 50 sq. ft. shall have an opaque background and internal illumination for items of information only or shall be of channel letter design. 3. Multi-business consolidated wall signs shall be permitted provided the signs do not exceed the allowable sign area. 4. Placement shall conform to Diagram B. 5. One nameplate may be placed at each door, loading dock, or other entrance facing a public street; max. 6 sq. ft. 6. Signs on projecting canopies/awnings shall be considered wall signs. 7. Raceways shall only be permitted when unable to place electrical components within wall/parapet. |
| | under canopy | One per business | 8 sq. ft. | 1. Canopy signs shall be attached perpendicular to the building face, centered above the store entrance or lease length. 2. Minimum 8 ft. ground clearance. 3. Signs shall not be illuminated. |

4. CHANGEABLE COPY SIGNS

| SITE CRITERIA | TYPE | MAXIMUM NUMBER | MAXIMUM SIGN AREA | MAXIMUM HEIGHT | OTHER STANDARDS |
|--|-------------|-------------------------|---------------------------|--|--|
| <u>Hotel with Convention Facility</u> | f/s | One per site | 30% of allowable f/s area | See A.1. <u>Freestanding Signs (a-d)</u> above | To be combined with permitted sign. |
| <u>Live Entertainment</u> | f/s | One per site | 30% of allowable f/s area | See A.1. <u>Freestanding Signs (a-d)</u> above | To be combined with permitted sign. |
| <u>Tenant Directory</u> | f/s | One per site | 30 sq. ft. | 7 ft. | Low intensity illumination, oriented toward pedestrians and motorists on site. Min. 30 ft. from exterior property lines, and 25 ft. from other freestanding signs. |
| <u>Menu Board</u> | f/s or wall | One per drive-thru lane | 32 sq. ft. (3826-4/09) | 7 ft. | May be in addition to permitted sign. |
| <u>Electronic Readerboards</u> (See Sections 233.12 and 233.14 for specifications) | | | | | |

ATTACHMENT NO. 3-67

B. INDUSTRIAL DISTRICTS

1. FREESTANDING SIGNS

| SITE CRITERIA | MAXIMUM NUMBER | MAXIMUM SIGN AREA | MAXIMUM SIGN HEIGHT | OTHER STANDARDS |
|--|---|--|---------------------|--|
| <u>Industrial/ Mixed Uses</u> | One business identification sign per site | Under 1 acre: 32 sq. ft. Industrial centers over 1 acre: 50 sq. ft. | 7 ft. | <ol style="list-style-type: none"> 1. Sign copy shall be limited to center or single business identification only. No multi-tenant panels shall be permitted. 2. Freestanding signs shall conform to Diagram A, and shall be located in a landscaped planter a minimum of 2 feet wider than the sign itself. 3. All freestanding signs shall have the street address included on the sign. 4. Signs shall be monument type. 5. Internally illuminated signs shall be designed as bonus signs. |
| <u>Mixed Use Businesses with Frontages on Gothard Street</u> | One per street frontage | Under 1 acre: 32 sq. ft. Industrial centers over 1 acre: 50 sq. ft. | 10 ft. | <ol style="list-style-type: none"> 1. Multi-tenant panels are permitted provided the panels are minimum 10 inches in height with minimum 6 inch high letters. They shall be restricted to one uniform background color and two colors for the sign copy, with the exception that the Center Identification may have a separate background color. Sign copies shall be limited to the company name or one generic item of information. 2. Major tenant identification shall be encouraged by being placed on the largest panel. 3. Signs eight (8) feet or less shall be monument type. 4. Internally illuminated signs shall be designed as bonus signs. |

2. WALL SIGNS

| SITE CRITERIA | MAXIMUM NUMBER | MAXIMUM SIGN AREA | MAXIMUM SIGN HEIGHT | OTHER STANDARDS |
|-----------------------------------|---|---|---------------------|---|
| <u>All Industrial/ Mixed Uses</u> | One per street or parking lot frontage for each separate business | <p>1 sq. ft. per linear ft. of building frontage.</p> <p>Channel letter signs receive a 10% bonus after the above calculation.</p> <p>Max. 100 sq. ft. per business for all wall signs.</p> | Below roofline | <ol style="list-style-type: none"> 1. One nameplate may be placed at each door, loading dock, or other entrance facing a public street; max. 6 sq. ft. 2. Internally illuminated signs shall be designed as bonus signs. 3. Raceways shall only be permitted when unable to place electrical components within wall/parapet. |

C. RESIDENTIAL

| SITE CRITERIA | TYPE | MAXIMUM NUMBER | MAXIMUM SIGN AREA | MAXIMUM SIGN HEIGHT | OTHER STANDARDS |
|--|----------------|--|---------------------------------------|---------------------|---|
| <u>Neighborhood Identification</u> | f/s | 1 per street entrance | 1 sq. ft. per unit, max. 50 sq. ft. | 6 ft. | 1. Signs shall be affixed to perimeter wall or placed within a landscaped planter. 2. Sign copy shall be limited to 18 inches in height, name of development only. 3. Freestanding signs shall be set back 20 feet from any interior property line. Placement shall conform to Diagram A. |
| | OR wall | One on each side of each street entrance | 0.5 sq. ft. per unit, max. 25 sq. ft. | | |
| <u>Vacancy Signs for Multi-family Developments</u> | wall | One per street frontage | 6 sq. ft. | Below roofline | 1. Copy limited to "vacancy," type of unit available, and source of information. |

D. CHURCHES, AND SCHOOLS, AND COMMERCIAL RECREATIONAL USES WITHIN PUBLIC PARKS

| SITE CRITERIA | TYPE | MAXIMUM NUMBER | MAXIMUM SIGN AREA | MAXIMUM SIGN HEIGHT | OTHER STANDARDS |
|------------------------|-----------------|----------------|---|---------------------|---|
| <u>Identification</u> | f/s | One per site | 32 sq. ft. | 7 ft. | 1. Freestanding signs shall be completely located within a landscaped planter. 2. Signs shall be monument type. 3. Freestanding signs shall be set back 5 ft. from any interior property line. 4. All freestanding signs shall have the address included on the sign. 5. Raceways shall only be permitted when unable to place electrical components within wall/parapet. |
| | AND wall | One per site | 1 sq. ft. per linear ft. of bldg. frontage Max. 32 sq. ft. | Below roofline | |
| <u>Changeable Copy</u> | f/s | One per site | 30% of allowable f/s area | 7 ft. | To be combined with permitted sign. May be in addition to permitted sign. |
| | wall | One per site | 32 sq. ft. (3826-4/09) | | |

ATTACHMENT NO. 3.69

E. SERVICE STATIONS

| SITE CRITERIA | TYPE | MAXIMUM NUMBER | MAXIMUM SIGN AREA | MAXIMUM SIGN HEIGHT | OTHER STANDARDS |
|--|--------------------|---|--|---------------------|---|
| <u>Business Identification</u> | f/s | One per site | <u>Alternative A:</u> 20 sq. ft. if sign contains only identification and no changeable copy panels for pricing. <u>OR</u> <u>Alternative B:</u> 50 sq. ft. if price information is incorporated on sign. Sign shall contain panels for fuel price only. No detached price signs shall be located elsewhere on the site. | 7 ft. | 1. Service stations with convenience markets shall use <u>Alternative A</u> . 2. Freestanding signs shall be located in a landscaped planter a minimum of 2 feet wider than the sign itself. 3. Signs shall be monument type. 4. All freestanding signs shall have the address included on the sign. |
| | wall and/or canopy | One per street frontage One per street frontage | 1 sq. ft. per linear foot of building frontage 10 sq. ft. | Below roofline | 1. Internal illumination or channel letters only. 2. If canopy fascia signs are used for business ID, no wall signs shall be permitted on bldg. 3. Max. letter height for fascia signs shall be 75% of fascia width. 4. If canopy fascia signs are not provided, a logo may be permitted on each side of canopy column connector (spandrel) in addition to wall signs. |
| <u>Fuel Price and Credit Information</u> | f/s | One per street frontage in conjunction with <u>Alternative A</u> sign Price signs shall be located a minimum 15 ft. from other freestanding signs. | 12 sq. ft. | 6 ft. | 1. Price signs shall advertise fuel prices only and no other product available. 2. Freestanding signs shall be completely located within a landscaped planter. |

ATTACHMENT NO. 3.70

E. SERVICE STATIONS (CONTINUED)

| SITE CRITERIA | TYPE | MAXIMUM NUMBER | MAXIMUM SIGN AREA | MAXIMUM SIGN HEIGHT | OTHER STANDARDS |
|--|--------------------------------|-----------------------|-------------------|---------------------|--|
| <u>Pump Instructions or Identification</u> | attached to pump island column | One per canopy column | 2 sq. ft. | 10 ft. | 1. No other signs shall be permitted on the canopy or column except as specified. 2. Point of purchase signs shall be prohibited. 3. State or Federal government required signs encompassed within a fuel pump shall not be regulated by this ordinance. |

F. PERMITTED IN ALL DISTRICTS

| SITE CRITERIA | TYPE | MAXIMUM NUMBER | MAXIMUM SIGN AREA | MAXIMUM SIGN HEIGHT | OTHER STANDARDS |
|---|------|---------------------------|------------------------------------|--|--|
| <u>Building Identification for Buildings Over 100 Ft. in Height</u> | wall | One per building frontage | 3 sq. ft. per foot of bldg. height | Shall be placed within top 25 ft. of bldg. | 1. Such sign shall be in addition to that which is permitted elsewhere in this article. 2. Raceways shall only be permitted when unable to place electrical components within wall/parapet. |
| <u>Promotional Activity Signs</u> Repealed: (3826-4/09) | | | | | |

233.08 Exempt Signs

The following signs are exempt from the sign permit requirements of Section 233.04. These signs shall not be restricted by content and no fee, permit or application is required: (3334-6/97, 3826-4/09)

- A. Cornerstones (including names of buildings and dates of erection), and citations that are made an integral part of the structure. (3334-6/97, 3826-4/09)
- B. Signs not exceeding 0.5 square feet each posted by commercial establishments. (3334-6/97, 3826-4/09)
- C. Flags posted by any governmental agency. (3334-6/97, 3826-4/09)
- D. Signs posted by neighborhood safety organizations. (3334-6/97, 3826-4/09)
- E. Notices posted by a utility or other quasi-public agent in the performance of a public duty. (3334-6/97, 3826-4/09)
- F. Signs or notices posted by any court, public body or officer. (3334-6/97, 3826-4/09)
- G. Signs posted by property owners on private property, as required by law (including no trespass and legal notices). (3334-6/97, 3826-4/09)

ATTACHMENT NO. 3.71

- H. One sign, not over six (6) square feet in area, may be posted at each door, loading dock, or other entrance facing a public street. (3334-6/97, 3826-4/09)
- I. One double-faced sign per each commercial parking entrance, not exceeding two (2) square feet in area and four (4) feet in height. (3334-6/97, 3826-4/09)
- J. Signs erected by a public agency. (3334-6/97, 3826-4/09)
- K. Signs manufactured as a standard, integral part of a mass-produced product accessory or display structure including telephone booths, vending machines, automated teller machines, and gasoline pumps. (3334-6/97, 3826-4/09)
- L. Signs within a building not visible from a public street and window signs not exceeding 20 percent of the visible area of a window (50% during December). No window sign shall be displayed above the second story. (3334-6/97, 3360-12/97, 3826-4/09)
- M. Signs required by the Americans with Disabilities Act (ADA). (3360-12/97, 3826-4/09)
- N. Two (2) signs (including, but not limited to, street numerals and “no solicitation” notices), not exceeding two (2) square feet each, placed on any part of a building facing a public street. (3334-6/97, 3826-4/09)
- O. Temporary signs. In any residential zone, the owner of a lot shall be allowed to post temporary signage on the lot itself, but not off-site in street medians, dividers, and other public rights-of-way. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, and home construction or remodeling, etc. Signage shall be allowed for each lot as follows: (3334-6/97, 3826-4/09)

| SITE CRITERIA | TYPE | MAXIMUM NUMBER | MAXIMUM SIGN AREA | MAXIMUM SIGN HEIGHT | (3826-4/09) OTHER STANDARDS |
|--|-------------|----------------|-------------------|---------------------|--|
| <u>Election Signs or Political Signs</u> | F/S or Wall | One per site | N/A | N/A | 1. Cannot create traffic or safety hazards. 2. May be erected no more than seventy five (75) days prior to an election and must be removed within fifteen (15) days after an election. (3826-4/09) |
| <u>Real Estate</u> Residential | F/S or Wall | One per site | 8 sq. ft. | 6 ft. | 1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. No sign may be attached to the perimeter walls of residential communities. (3826-4/09) |

| | | | | | |
|--|-------------------|------------|-------------|----------------------|--|
| <u>Real Estate</u> Commercial Office Dist. | F/S or Wall | 1 per site | 20 sq. ft. | 10 ft. 12 ft. | 1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. (3826-4/09) |
| <u>Real Estate</u> Commercial Industrial | F/S or Wall | 1 per site | 30 sq. ft. | 12 ft. | 1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. (3826-4/09) |
| <u>Real Estate</u> All other Districts | F/S or Wall | 1 per site | 20 sq. ft. | 10 ft. | 1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. Signs shall not be attached to the perimeter walls of residential communities. (3826-4/09) |
| <u>Construction Signs</u> | F/S or Wall | 1 per site | 32 sq. ft. | None | 1. Is erected no earlier than the date a building permit is issued for the property, and is removed prior to issuance of a certificate of occupancy or final inspection, whichever comes first. (3826-4/09) |
| <u>Open House Signs</u> | F/S or Wall | 1 per site | 6 sq. ft. | 4 ft. | 1. Sign must be displayed adjacent to the entrance of a property or in the case of a residential subdivision at the immediate points of access to the property from an arterial, and is removed by sunset on any day it is erected. 2. Placement shall not be in street medians, dividers, on street signs, traffic control devices and shall not obstruct the public right-of-way. (3826-4/09) |
| <u>Open House Sign</u> | Flags | 3 per site | 2.5 sq. ft. | 6 ft. | 1. Must be displayed at the immediate points of access to a property or, in the case of a residential subdivision, from the immediate point of access from an arterial. (3826-4/09) |
| <u>Pennants</u> | | | 30 sq. ft. | | 1. Must be placed on light standards located on private property. 2. Must have an eight (8) foot clearance from the ground. 3. Must be removed within five (5) business days of the completion of the City-sponsored event or theme. (3826-4/09) |

233.10 Prohibited Signs

- A. Canvas signs, banners, pennants, streamers, balloons or other temporary signs except as provided in Sections 233.08 (Exempt Signs), 233.16 (Subdivision Directional Signs) or 233.18 (Promotional Activity Signs). (3334-6/97, 3360-12/97)
- B. Mobile, A-frame, and portable signs and those of a similar nature which are not permanently attached to the ground or building except as provided in Sections 233.18 or 233.20. (3334-6/97)
- C. Roof signs except those permitted under Section 233.18(4). (3334-6/97, 3826-4/09)
- D. Signs which resemble any official marker erected by the city, state, or any governmental agency, or which, by reason of position, shape, color or illumination would conflict with the proper functioning of any traffic sign or signal or would be a hazard to vehicular or pedestrian traffic. (3334-6/97)
- E. Signs which produce odor, sound, smoke, fire or other such emissions. (3334-6/97)
- F. Flashing, moving, pulsating, or intermittently lighted signs, mechanical movement signs, including searchlights, except electronic readerboards and public service signs such as those for time and temperature. (3334-6/97)
- G. Animals or human beings, live or simulated, utilized as signs. (3334-6/97)
- H. Projecting signs, except canopy or awning signs and under-canopy signs, subject to subsections 233.06(A) and 233.06(E). (3334-6/97, 3360-12/97)
- I. Signs which constitute a nuisance or hazard due to their intensity of light. (3334-6/97)
- J. Signs visible from and within 100 feet of an R district which are illuminated between the hours of 10:00 PM and 7:00 AM unless they identify an establishment open for business during those hours. (3360-12/97)
- K. Off-premises signs, including billboards or advertising structures installed for the purpose of advertising a project, subject or business unrelated to the premises upon which the sign is located, except as permitted pursuant to Sections 233.14 (Readerboard Signs-Multiple Users) and 233.16 (Subdivision Directional Signs). (3334-6/97, 3826-4/09)
- L. Abandoned signs and signs which no longer identify a bona fide business conducted on the premises. Such signs shall be removed by the property owner within 60 days of the business' closing date. The sign panel may be turned over (blank side out) if the sign complies with code. (3334-6/97, 3360-12/97)
- M. Signs located on public property, including signs affixed to utility poles, trees or projecting onto the public right-of-way, except political signs and those required by law. This section shall not prohibit the placement of advertising panels on public service items including, but not limited to, trash receptacles, bicycle racks, bus benches, transit shelters, and telephone booths, within public rights-of-way or in publicly-operated beaches or parks provided such items are placed in accord with an agreement granted by the City Council. (3334-6/97, 3360-12/97, 3826-4/09)

- N. Vehicle signs, signs affixed to automobiles, trucks, trailers or other vehicles on public or private property for the purpose of advertising, identifying or providing direction to a use or activity not related to the lawful use of the vehicle for delivering merchandise or rendering service. Any such vehicle signs which have as their primary purpose to serve as a non-moving or moving display are prohibited. (3334-6/97, 3826-4/09)

233.12 Electronic Readerboards

Electronic readerboards are permitted subject to the review by the Design Review Board, and approval of a conditional use permit by the Zoning Administrator. (3334-6/97, 3360-12/97, 3711-06/05, 3826-4/09)

- A. Required Findings: Prior to approving a conditional use permit to allow an electronic readerboard sign, the Zoning Administrator shall make the following findings: (3334-6/97, 3711-06/05)
1. The proposed electronic readerboard sign conforms with the standards and criteria as set forth in this chapter; (3334-6/97)
 2. The proposed electronic readerboard sign is compatible with other signs on the site and in the vicinity; (3334-6/97)
 3. The proposed electronic readerboard sign will not adversely impact traffic circulation in adjacent rights-of-way or create a hazard to vehicular or pedestrian traffic; and (3334-6/97)
 4. The proposed electronic readerboard sign shall not have adverse visual impacts on adjoining commercial and/or residential neighborhoods. (3334-6/97)
- B. Readerboard Sign Criteria: (3360-12/97)
1. Electronic readerboards may be freestanding or wall type signs. (3334-6/97)
 2. The maximum number of electronic readerboards shall be one per site. (3334-6/97)
 3. The maximum sign area shall be 115 square feet; 90 square feet for message center; and 25 feet for other information. (3334-6/97)
 4. The maximum height of a freestanding electronic readerboard sign shall be 25 feet. (3334-6/97, 3360-12/97)
 5. The electronic readerboard shall have cylinders, a shade screen and a photocell for reducing the intensity of lighting at night. (3334-6/97)
 6. The maximum measurable light output of the electronic readerboard shall not exceed 50 foot-candles at any property line. (3334-6/97)
- C. Location Requirements: (3334-6/97)
1. Electronic readerboards shall only be allowed on parcels abutting a freeway and on parcels abutting Beach Boulevard, excluding the portion along Beach Boulevard designated as a landscape corridor south of Adams to Pacific Coast Highway. (3334-6/97)
 2. Minimum lot frontage: 200 feet. (3334-6/97)

3. Minimum distance between electronic readerboards: 150 feet. (3334-6/97)

4. Minimum distance to any residence: 150 feet. (3334-6/97)

D. Other Standards: (3334-6/97)

1. Where a site has an electronic readerboard, temporary banners, balloons, flags, etc. shall be permitted a maximum of 15 days per calendar year. (3334-6/97)

2. Hours of operation: 6:30 AM to 10:30 PM. At least 10 percent of the message time, or any percentage deemed necessary by the City for emergency conditions, shall be used for public service announcements. (3334-6/97)

3. Messages in an electronic readerboard shall be no faster than one message every four seconds, and the minimum interval between messages shall be at least one second. Continuous motion of messages is not permitted. (3334-6/97)

4. Light intensity changes (other than between day and night uses) are not permitted. (3334-6/97)

5. In addition to the electronic readerboard sign, one monument sign, maximum of seven (7) feet in height and a maximum fifty (50) square feet in sign area, may be permitted and all other signage shall be brought into conformance with this chapter. (3334-6/97)

233.14 Readerboard Signs - Multiple Users

Off-site electronic readerboard signs may be permitted subject to review by the Design Review Board and approval of a conditional use permit by the Zoning Administrator. Approval of electronic readerboard signs shall be subject to the following: (3334-6/97, 3711-06/05, 3826-4/09)

A. Required Findings: Prior to approving a conditional use permit to allow a multiple user electronic readerboard sign, the Zoning Administrator shall make the following findings: (3334-6/97)

1. The proposed electronic readerboard sign conforms with the standards and criteria as set forth in the Huntington Beach Zoning and Subdivision Ordinance; (3334-6/97, 3360-12/97)

2. The proposed electronic readerboard sign will not adversely impact traffic circulation in adjacent right-of-way or create a hazard to vehicle or pedestrian traffic. (3334-6/97, 3360-12/97)

B. Multiple User Readerboard Sign Criteria: (3360-12/97)

1. Multiple user electronic readerboard signs may be located at a site which is not the location of any of the parties using the sign for advertising. (3334-6/97)

2. Multiple user electronic readerboard shall be freestanding. (3334-6/97)

3. The maximum sign area shall be twelve hundred (1200) square feet. (3334-6/97)

4. The maximum height of a multiple user readerboard sign shall be eighty-five (85) feet. (3334-6/97)

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5. The multiple user readerboard shall have cylinders or directional incandescent lamps and have a shade screen or louver system, a shade screen and a photocell for reducing the intensity of lighting at night. (3334-6/97)

C. Lighting Standards: (3334-6/97)

1. The maximum night time light intensity and illuminance shall conform to the following: (3334-6/97)

MAXIMUM NIGHT TIME INTENSITY

| Height from Ground (in feet) | 5 | 10 | 20 | 30 | 50 | 70 | 85 |
|--------------------------------------|-----|-----|-----|-----|-----|-----|-----|
| Maximum Intensity (x 1000 lumens) | 125 | 130 | 145 | 170 | 250 | 370 | 490 |

(3334-6/97, 3360-12/97)

MAXIMUM NIGHT TIME ILLUMINANCE

| Land Use at Receptor Site | Residential | Commercial | Other |
|---------------------------------------|-------------|------------|-------|
| Maximum Illuminance (foot-candles) | 0.3 | 2.0 | 1.0 |

(3334-6/97)

The maximum night time illuminance shall be measured at the receptor site, at ground level, by a direct reading, portable light meter. Measurements shall not be made within one hour after sunset or before sunrise. (3334-6/97)

2. Illuminance shall be determined by the difference between a reading taken with the sign on and another reading taken within three (3) minutes with the sign off. (3334-6/97)
3. An illuminance chart shall be prepared by a licensed engineer and submitted to the Director for approval prior to installation. Conformance with this ordinance shall be verified by actual measurements made, as specified herein, after installation. The method of measurement and results shall be subject to approval of the Director. (3334-6/97)

D. Location Requirements: (3334-6/97)

1. A multiple user readerboard shall be located no farther than two hundred (200) feet from a freeway. (3334-6/97)
2. The minimum distance between multiple user readerboards shall be one thousand (1,000) feet. (3334-6/97)
3. The sign shall be a minimum distance of 600 feet from residential properties. (3360-12/97)

E. Other Standards: (3334-6/97)

1. No off-site electronic readerboard will be permitted except for multiple users. (3334-6/97)

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2. At least twenty percent (20%) of the message time, or any percentage deemed necessary by the City for emergency conditions shall be used for public service announcements. (3334-6/97)
3. Messages in a multiple user sign shall be no faster than one message every four (4) seconds and the minimum interval between messages shall be at least one second. (3334-6/97)
4. Light intensity changes (other than between day and night uses) are not permitted. (3334-6/97)

233.16 Subdivision Directional Signs

Subdivision directional signs shall contain only the name of a development, the developer, price information, and directional information for land development projects located within the City. Sign permits for off-site subdivision directional signs for land development projects shall be limited to no more than six off-site signs, and approval for such signs shall be subject to the following standards: (3334-6/97, 3826-4/09)

A. Location requirements: (3334-6/97)

1. Signs shall not be located within any street medians, divides, or other public rights-of-way or on any property developed with residential uses other than that of the subdivision identified. (3334-6/97, 3826-4/09)
2. Signs located on the same side of the street shall be a minimum of 600 feet from any other subdivision directional sign except a sign may be permitted on each corner of the intersection of arterial highways. (3334-6/97)
3. Maximum area and height: (3334-6/97)
 - a. 64 square feet in area and 15 feet high provided there is a minimum 50 foot distance from any adjacent developed property. (3334-6/97)
 - b. 32 square feet in area and 8 feet high provided there is a minimum 25 foot distance from any adjacent developed property. (3334-6/97)

B. Permit expiration: Sign Permits issued for subdivision directional signs shall expire either one year from the date of issuance or on the date 90 percent of the project's units have all been sold, leased, or rented for the first time, whichever is sooner. Annual renewals may be granted for such time as units still exist for sale; however, no more than one directional sign is allowed after 90 percent of the units are sold, leased or rented. (3334-6/97, 3826-4/09)

C. Street widening: When a sign conflicts with street widening or construction, it shall be removed upon written notice at no cost to any public agency. (3334-6/97)

D. Required bond: Prior to the issuance of a building permit, the applicant shall file a cash bond in an amount set by resolution of the City Council. The full bond amount shall be refunded if the sign structure is removed and the site restored to its original condition within 15 days after the expiration of the permit. If the sign structure is not removed, the City shall remove the sign and its supporting structure with the cost deducted from the cash bond, and any remainder refunded. (3334-6/97)

233.18 Promotional Activity Signs

- A. Promotional activity signs may be placed on a site subject to the issuance of a temporary sign permit by the Director, and provided that such signs comply with all

of the standards set forth in this Section, and provided such signs do not create safety hazards or block signs identifying adjoining establishments. (3334-6/97, 3826-4/09)

- B. A temporary sign permit for a promotional activity sign, banners, pennant or pennants, unless otherwise specified, shall be valid for a maximum of ninety (90) days in any calendar year and shall not be renewable. (3334-6/97, 3360-12/97, 3826-4/09)
- C. Promotional activity banners shall not exceed one square foot of banner area for each linear foot of building frontage and in no case shall the total banner area exceed 100 square feet. Pennants shall be limited to a maximum of one square foot for each pennant. (3334-6/97, 3360-12/97, 3826-4/09)
- D. A promotional activity banner, as permitted above, shall not be affected by the issuance of a grand opening promotional activity sign permit during the same calendar year. The size of a grand opening promotional activity banner shall not exceed the size specified in Section 233.18 C. (3334-6/97, 3360-12/97, 3826-4/09)
- E. Promotional activity signs, banners, and pennants shall be maintained and not be in a condition of disrepair. Disrepair shall include torn, faded or sagging signs. (3334-6/97, 3826-4/09)
- F. The Director may approve a temporary sign permit for a promotional sign, to be displayed on a site with electronic readerboards up to a maximum of fifteen (15) days per calendar year. (3334-6/97, 3826-4/09)
- G. Vehicle sales businesses and automobile dealerships located on Beach Boulevard may, without first obtaining a temporary use permit from the Director, display promotional activity signs, banners, pennants, and car-top signs that comply with the following standards: (3334-6/97, 3360-12/97, 3826-4/09)
 - 1. Eighteen inch (18") non-metallic helium balloons and large non-metallic inflatables may be displayed on the weekends (Friday 9:00 AM through Sunday 12:00 Midnight), provided they do not project over the public right-of-way. (3334-6/97)
 - 2. Automobile dealerships on Beach Boulevard shall be permitted to display flags, pennants, banners and car-top signs throughout the year. (3334-6/97)
- H. Vehicle sales businesses and automobile dealerships located on Beach Boulevard shall obtain a temporary sign permit for the use of large displays and inflatables larger than eighteen inches (18") in diameter. The displays and inflatables shall be affixed directly to the ground or roof of a building. The displays and inflatables shall be limited to a maximum of twelve (12) weekends per calendar year. (3360-12/97, 3826-4/09)

233.20 Planned Sign Program

A Planned Sign Program shall be submitted to the Director when required by Section 233.04 B. Such program shall be reviewed and approved by the Director prior to issuance of any building permit. The purpose of the Planned Sign Program is to encourage coordinated and quality sign design as well as to permit more flexible sign standards for commercial and industrial centers. (3334-6/97, 3360-12/97, 3527-2/02, 3826-4/09)

The standards of Section 233.06 shall be used as a guide in the design of a Planned Sign Program. The property owner shall designate a person or firm as the primary liaison with the City for the purpose of submitting sign permit requests in conformance with the approved Planned Sign Program. (3334-6/97, 3360-12/97, 3826-4/09)

- A. Planned sign program applications shall be submitted to the Planning Division and shall include the following: (3334-6/97)
 1. A site plan, drawn to scale, depicting the precise locations of all buildings and signs; (3334-6/97, 3360-12/97)
 2. Drawings and/or sketches indicating the exterior surface details of all buildings on the site on which wall signs, directory signs, or projecting signs are proposed; (3334-6/97)
 3. Written text describing the specific sign criteria for the property. The program shall, at minimum, include provisions regulating sign height, area, sign type, colors, design and location. (3360-12/97)
 4. A statement of the reasons for any requested modifications to the provisions or standards of this chapter; and (3334-6/97)
 5. The name, address, and telephone number of the person or firm responsible for administering the Planned Sign Program. (3334-6/97, 3826-4/09)
- B. A Planned Sign Program may include more than one freestanding sign per parcel or other deviations from the standards of this chapter, provided that the total sign area does not exceed the area otherwise permitted by Section 233.06 by more than 10%, or by 30% for multiple automobile franchises occupying the same lot, and commercial businesses with 50,000 square feet or more of floor area. In approving a Planned Sign Program, the Director shall find: (3334-6/97, 3360-12/97, 3826-4/09)
 1. That the proposed signs are compatible with the style or character of existing improvements on the site and are well related to each other, reflecting a common theme and design style. (3334-6/97)
- C. The Director may require any reasonable conditions necessary to carry out the intent of the Planned Sign Program. For developments with existing signs, a schedule or phasing plan for bringing such signs into conformance with the Planned Sign Program shall be submitted and become part of the approval of the Planned Sign Program. A cash bond may be required to guarantee their modification or removal. (3334-6/97, 3360-12/97, 3826-4/09)

233.22 Miscellaneous Signs and Provisions

- A. Signs within the Downtown Specific Plan or located in any other specific plan areas shall comply with any additional requirements outlined within the plan itself and any applicable design guidelines. (3334-6/97, 3826-4/09)
- B. Non-commercial murals, non-commercial large graphic designs, and statuary shall be subject to review by the Director for the sole purpose of ensuring that such displays will not pose a hazard to public health, safety or welfare. (3334-6/97)
- C. No window or contiguous window panes shall be covered by paper or painting signs that exceed 20% of the total area of that window, however; windows may be covered up to 50% during the month of December.
(3334-6/97, 3360-12/97, 3826-4/09)

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233.24 Nonconforming Signs

- A. Continuation of Use. A nonconforming sign may be maintained on site after the effective date of the ordinance codified in this title, provided that the nonconforming sign is not: (3334-6/97, 3360-12/97, 3826-4/09)
1. Changed to another nonconforming sign; or (3334-6/97)
 2. Structurally altered so as to extend its useful life; or (3334-6/97)
 3. Expanded or altered as defined in Section 233.28, except that a change of sign panel/face may be permitted provided the items of information on the sign (i.e., business name) remain the same; or (3334-6/97, 3360-12/97)
 4. Reestablished after discontinuance for ninety (90) days or more; or (3334-6/97, 3360-12/97)
 5. Reestablished after damage or destruction of more than fifty percent (50%) of the sign value at the time of such damage or destruction. (3334-6/97, 3360-12/97)
- B. Signs replaced or requested to be modified at the owner's initiative shall comply with all current provisions of this chapter unless the Director approves a Sign Code Exception, a Limited Sign Permit or Planned Sign Program. (3334-6/97, 3360-12/97, 3826-4/09)

233.26 Code Compliance

Signs shall be subject to the provisions of this chapter, the Uniform Building Code and National Electric Code, as adopted by the City. (3334-6/97, 3360-12/97)

Any sign by design, location or configuration that violates this Chapter or creates a pedestrian or vehicle hazard is deemed to be a public nuisance and subject to enforcement under this Code and/or the Huntington Beach Municipal Code. (3826-4/09)

Penalty. No person, firm, corporation or other legal entity shall maintain, place, erect, or permit any sign to be displayed in violation of this chapter. Violations are a misdemeanor and are punishable as provided in Chapter 249 Enforcement of the Huntington Beach Zoning and Subdivision Ordinance. (3360-12/97)

233.28 Definitions

The following definitions shall apply to the provisions in this chapter. General definitions are contained in Chapter 203. (3334-6/97)

- A. Abandoned Sign: a sign which no longer directs, advertises or identifies a legal business establishment, product or activity on the premises where such sign is displayed. (3334-6/97)
- B. Alteration: any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign. (3334-6/97)
- C. Animated Sign: any sign which is designed to give a message through a sequence of progressive changes of parts or lights or degree of lighting. (3334-6/97)
- D. Area of Sign: (3334-6/97)
1. The area included within the outer dimensions of a sign (excluding structural supports). (3334-6/97, 3360-12/97)

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2. For freestanding signs, sign area shall be calculated on one (1) face of the sign, provided a sign face on a double-sided sign is not separated from the opposite side of the sign by more than 12 inches at any point.
(3334-6/97, 3360-12/97)
3. For illuminated awning or canopy signs, sign area shall be calculated around the sign copy only. (3334-6/97, 3360-12/97)
4. For signs without a border or frame (channel or skeleton letters), the area shall be within a rectangle or eight (8) continuous straight lines (with right angles) formed around the extreme outer limits of the sign message, including all figures and any background or color which is an integral part of the sign.
(3334-6/97, 3360-12/97)



- E. Awning: a shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework. (3334-6/97)
- F. Awning Sign: a sign painted on, printed on, or attached flat against the surface of an awning. (3334-6/97)
- G. Banner Sign: a temporary sign composed of fabric or flexible material with no enclosing frame. (3334-6/97)
- H. Bonus Sign: an internally illuminated freestanding sign designed with opaque sign faces/panels, and illumination for items of information only. (3360-12/97)
- I. Business Identification Sign: a sign which serves to identify only the name and address of the premises, business, building or portion of building upon which it is located and includes no other advertising such as product lists, phone numbers and hours of operation. Logos may also be permitted. (3334-6/97)
- J. Building Frontage: the linear extent of a building or business which has frontage on either a street or parking area. Only one side of the building facing the street or parking area shall be used to determine the maximum sign area. (3334-6/97, 3360-12/97)
- K. Canopy: a permanent roof-like structure which extends along and projects beyond the wall of a building, or is freestanding as common in service stations, and is generally designed and constructed to provide protection from the weather.
(3334-6/97, 3360-12/97)
- L. Changeable Copy Sign: a sign or portion thereof with characters, letters or illustrations that can be changed manually or electrically without altering the face or surface of the sign. (3334-6/97)
- M. Channel letters: individual letters or figures, illuminated or non-illuminated, affixed to a building or freestanding sign structure. (3334-6/97)
- N. Construction Sign: a temporary sign identifying the persons, firms or businesses directly connected with a construction or development project and may include the name of the future site occupant. (3334-6/97)

- O. Directional Sign: an on-premise incidental sign designed to guide or direct pedestrian or vehicular traffic. (3334-6/97)
- P. Electronic Readerboard: a changeable message sign consisting of a matrix of lamps which are computer controlled. (3334-6/97)
- Q. Exposed Neon: neon tubing used for lighting in signs and other building identification such as raceways and accent lighting. (3360-12/97)
- R. Exposed Raceway: visible tube or box behind a wall sign used to house electrical wiring for the wall sign. (3360-12/97)
- S. Flashing Sign: an illuminated sign which contains an intermittent or sequential flashing light source or any other such means to attract attention. This definition is not intended to include "changeable copy signs" or "animated signs." (3334-6/97)
- T. Freestanding Sign: a sign permanently attached to the ground and which does not have a building as its primary structural support. This includes ground signs, pole signs and monument signs. (3334-6/97)
- U. Grand Opening: a promotional activity not exceeding ninety (90) calendar days used by newly established businesses to inform the public of their location and services. (3334-6/97)
- V. Ground Sign: see Freestanding Sign. (3334-6/97)
- W. Illegal Sign: a sign which was erected without obtaining a permit as required by this Chapter, that does not meet the requirements of this ordinance, or has not received legal nonconforming status. (3334-6/97, 3360-12/97, 3826-4/09)
- X. Incidental Sign: a small sign pertaining to goods, products, services or facilities which are available on the premises where the sign occurs and intended primarily for the convenience of the public. (3334-6/97)
- Y. Indirect Illumination: a light cast on the surface of a sign from an exterior source. (3334-6/97)
- Z. Industrial Center: any site containing three (3) or more industrial activities. (3360-12/97)
- AA. Integrated Development: a development or site comprised of one or more parcels served by common access ways, driveways, parking and landscaping. (3334-6/97)
- BB. Interior illumination: any sign face which is artificially lit from the inside. (3334-6/97)
- CC. Item of information: each word, design, symbol, or figure. (3334-6/97)
- DD. Limited Sign Permit: A permit approved by the Director that permits a temporary sign used to advertise a short-term special activity or sale, i.e., grand opening, under new ownership, fall sale, etc. and maintenance or modification to the face or copy of a nonconforming sign to extend a use of the sign for a time period deemed appropriate by the Director, but not to exceed two (2) years. (3360-12/97, 3826-4/09)
- EE. Logo: a trademark or company name symbol. (3334-6/97)
- FF. Marquee: see Canopy. (3334-6/97)
- GG. Mansard: a sloped roof or roof-like facade. (3334-6/97)

- HH. Monument Sign: a free standing sign with a solid base. (3334-6/97)
- II. Moving Sign: any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement. (3334-6/97)
- JJ. Name Plate Sign: an attached sign which designates the names and/or address of a business, and/or the words "entrance" or "exit." (3334-6/97)
- KK. Nonconforming Sign: a sign which was erected legally but does not comply with provisions of the current sign ordinance. (3334-6/97, 3360-12/97, 3826-4/09)
- LL. Off-Site Sign: any sign which advertises goods, products, services or facilities not sold, produced, manufactured or furnished on the premises on which the sign is located. These signs are also known as outdoor advertising, billboards, and poster panels. (3334-6/97)
- MM. On-Site Sign: a sign which pertains to the use(s) of the site on which it is located. (3334-6/97)
- NN. Open House Sign: a sign which identifies a building for sale or lease which is open and available for inspection. (3334-6/97, 3826-4/09)
- OO. Planned Sign Program: A required component for certain sign permits that incorporates coordinated and quality sign design elements and is reviewed and approved by the Director. (3360-12/97, 3826-4/09)
- PP. Point of Purchase Display: advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser. (3334-6/97)
- QQ. Pole Sign: see Freestanding Sign. (3334-6/97)
- RR. Political Sign: a sign identifying either a candidate for public office or an issue relating to a forthcoming election. (3334-6/97)
- SS. Portable Sign: any sign not permanently attached to the ground or a building. (3334-6/97)
- TT. Projecting Sign: a sign which is attached to and projects from the wall of the building more than 18 inches and which has its display surface perpendicular to such wall, to the structure to which it is attached. (3334-6/97)
- UU. Promotional Activity Sign: a temporary sign used to advertise a short term special activity or sale, i.e., grand opening, under new ownership, fall sale, etc. (3334-6/97)
- VV. Public Access Signage: signage that directs the general public to the coast or sea and/or public amenities available for general public use. (3360-12/97)
- WW. Public Service Information Sign: any sign intended primarily to promote items of general interest to the community such as time, temperature, date, atmospheric conditions, news or traffic control, etc. (3334-6/97)
- XX. Real Estate Sign: any temporary sign indicating that the premises on which the sign is located is for sale, lease or rent. (3334-6/97)
- YY. Roof Sign: an attached sign constructed upon or over a roof, or placed so as to extend above the visible roofline; or a freestanding sign which is greater in height than the building it serves to identify. (3334-6/97)

- ZZ. Rotating Sign: any sign or portion thereof which physically revolves about an axis. (3334-6/97)
- AAA. Sign: any medium for visual communication, including its structure and component parts, which is used or intended to be used to attract attention. (3334-6/97)
- BBB. Sign Height: measurement from the adjacent sidewalk or curb to the highest portion of the sign, including architectural elements. (3360-12/97)
- CCC. Sign Code Exception: a deviation to some of the specifications set forth in this chapter that is approved by the Director. (3360-12/97, 3826-4/09)
- DDD. Sign Copy: any words, letters, numbers, figures, designs or other symbolic representation incorporated into a sign for the purpose of attracting attention. (3334-6/97)
- EEE. Site: one or more parcels of land identified by the assessor's records where an integrated building development has been approved or proposed. The site shall include all parcels of land contained within or a part of the development application. (3334-6/97)
- FFF. Site Frontage: the length of a lot or parcel of land along or fronting a street. (3334-6/97, 3360-12/97)
- GGG. Special Events Sign: a temporary sign advertising or pertaining to any civic, patriotic, or special event of a general public interest taking place within the city. (3334-6/97)
- HHH. Subdivision Directional Sign: a sign providing direction to a land development project pursuant to this chapter. (3334-6/97)
- III. Supergraphic: a painted design which covers an area greater than ten percent of a wall, building facade, or other structure. (3334-6/97)
- JJJ. Temporary Sign: a sign which is installed for a limited time and is not constructed or intended for long-term use. (3334-6/97)
- KKK. Temporary Window Sign: a sign painted or constructed of paper or other lightweight material and affixed to the interior or exterior side of a window or glass area on a building for a limited time. (3334-6/97)
- LLL. Wall Sign: any sign which is attached or erected on the exterior, posted, or painted or suspended from or otherwise affixed to a wall of a building including the parapet, with the display surface of the sign parallel to the building wall, and which does not project more than eighteen (18) inches from the building, or project above the height of the wall or parapet. (3334-6/97)
- MMM. Window Sign: a sign in which the name, address, phone number, or hours of operation are applied directly to the window of a business, or a sign visible through the window from the street. (3334-6/97)

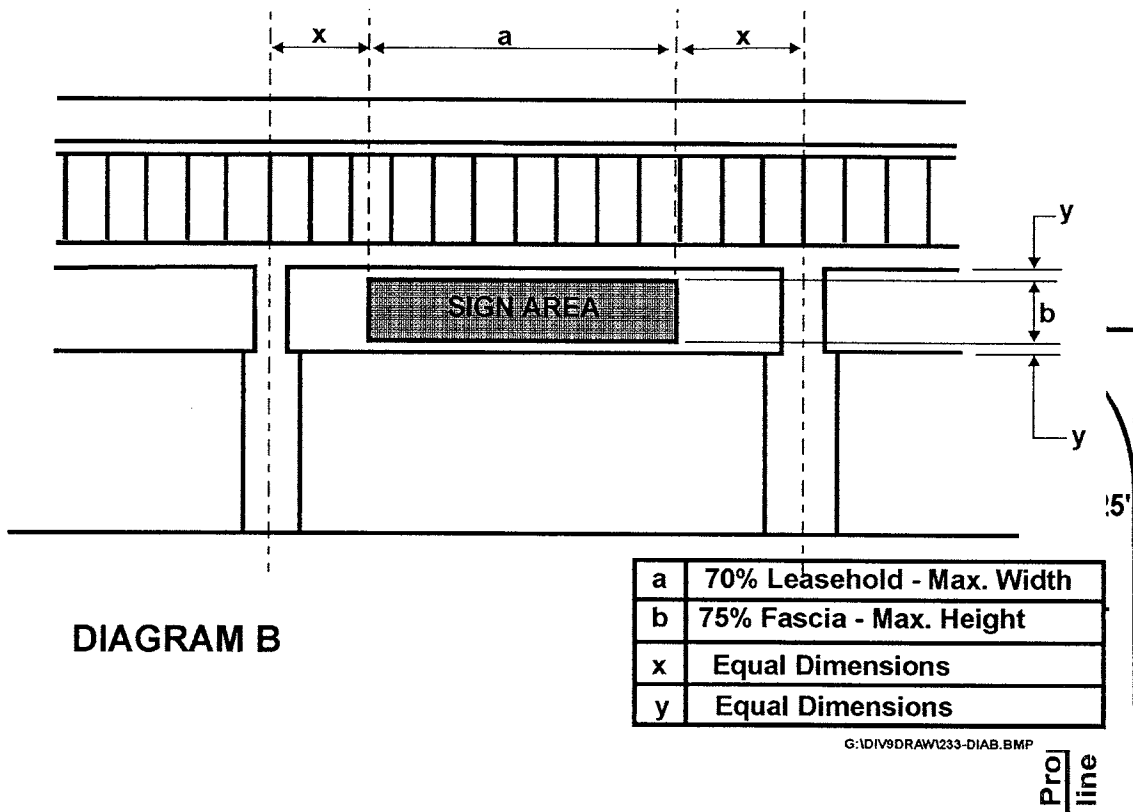


DIAGRAM A

| Sign Type | | Setback |
|-----------|----------|----------------------------|
| x | Pole | 40' |
| | Monument | Subject to Director review |

G:\DIV9\DRAW\233-DIAA.BMP

ATTACHMENT NO. 3.84